

as commercial fishing for eulachan, smelt, candlefish or herring is permitted therein.

SEC. 2. That section 2, chapter 71, Laws of 1939 (sec. 5704b-1, Rem. Rev. Stat.) be and the same is hereby repealed. Repealed.

Passed the Senate February 5, 1943.

Passed the House February 24, 1943.

Approved by the Governor March 1, 1943.

CHAPTER 46.

[S. B. 72.]

FOOD AND SHELLFISH—DUTIES OF DIRECTOR OF FISHERIES.

AN ACT relating to food fish and shellfish defining certain duties of the Director of Fisheries; providing for the disposition of license fees, taxes, and other moneys into the fisheries fund; amending section 6, chapter 31, Laws of 1915, as amended by section 1, chapter 169, Laws of 1917 (sec. 5658, Rem. Rev. Stat.) and amending section 48, chapter 31, Laws of 1915 as amended by section 9, chapter 169, Laws of 1917 and section 2, chapter 180, Laws of 1921 (sec. 5700, Rem. Rev. Stat.).

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

SECTION 1. That section 6, chapter 31, Laws of 1915, as amended by section 1, chapter 169, Laws of 1917 (sec. 5658, Rem. Rev. Stat.) be amended to read as follows: Amendments.

Section 6. The Director of Fisheries shall devote his time to the duties of his office and shall enforce the laws for the propagation, protection and preservation of food fishes and shellfishes. He shall purchase, construct, charter and operate the boats necessary to properly patrol the waters of the state in the enforcement of the laws. He shall have charge and control of and operate and maintain the fish hatcheries now or that may hereafter be owned Director shall enforce laws.

Maintain patrols.

Operate hatcheries.

Select hatchery sites.

by the state. He shall select and purchase suitable lands for hatchery purposes and build hatcheries thereon. He shall have authority to sell, lease, convey or grant concessions upon any property, real or personal, heretofore or hereafter acquired for the State of Washington and under control of the Department of Fisheries. He shall make an annual typewritten or mimeographed report on or before the 1st day of April of each year to the Governor, containing a detailed statement of his actions under this act, of the operation and result of the laws pertaining to the fish industry, the method of taking fish, the number of fish propagated, and full and complete statistics of the fishing business, and suggestions as to needed legislation whenever he shall deem it necessary. He shall designate which are the food fishes, and which are shellfishes when such designations are not specifically made by the laws of this state.

Report to governor.

Designate food and shell fishes.

Amendments.

SEC. 2. That section 48, chapter 31, Laws of 1915, as amended by section 9, chapter 169, Laws of 1917 and section 2, chapter 180, Laws of 1921 (sec. 5700, Rem. Rev. Stat.) be amended to read as follows:

Revenues to fisheries fund.

Section 48. All license fees, catch taxes and other taxes, fines and moneys realized from the sale of property seized or confiscated under the provisions of this act, and all bail moneys forfeited under prosecutions instituted under the provisions of this act, and all moneys realized from the sale of any of the property real or personal, heretofore or hereafter acquired for the State of Washington and under control of the Department of Fisheries, and all moneys collected for damages and injuries to any such property, and all moneys collected for rentals or concessions from such property, shall be paid into the state treasury and placed in a fund known as the "Fisheries Fund," which shall not be used for any pur-

pose other than for the propagation, protection and perpetuation of food fishes, and/or shellfishes, and the administration and enforcement of the laws relating thereto. All unexpended balance thereof shall continue in such fund unless otherwise disposed of by the legislature. The Director of Fisheries is directed to expend such funds, as nearly as is justifiable in the localities from which they are collected. All fines collected shall be remitted monthly by the Justice of the Peace or by the clerk of the court collecting the same to the County Treasurer of the county in which the same shall be collected, and the County Treasurer shall at least once a month remit the same to the State Treasurer and shall at the same time furnish a statement to the Director of Fisheries showing the amount of fines so remitted and from whom collected.

Use of fund limited.

Monies remitted monthly.

Passed the Senate February 5, 1943.

Passed the House February 24, 1943.

Approved by the Governor March 1, 1943.