

CHAPTER 234.

[ H. B. 404. ]

FOOD FISH AND SHELLFISH—CONSERVATION OF SALMON RESOURCES IN PACIFIC OCEAN.

AN ACT relating to the fisheries code of the state of Washington; and amending section 4, chapter 108, Laws of 1957 and RCW 75.12.220; amending section 5, chapter 108, Laws of 1957 and RCW 75.12.230; and adding a new section to chapter 108, Laws of 1957 and to chapter 75.12 RCW.

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

RCW 75.12.220 amended.

SECTION 1. Section 4, chapter 108, Laws of 1957 and RCW 75.12.220 are each amended to read as follows:

Fishing other than by troll gear or angling gear for salmon within international waters of Pacific Ocean unlawful, when.

It shall be unlawful for any citizen of this state to fish for or take, by the use of any type of net, any salmon within the international waters of the Pacific Ocean: *Provided*, That it shall be unlawful for any citizen of this state to fish for or take, by the use of gear other than troll gear or angling gear, any salmon within the international waters of the Pacific Ocean if California, Alaska, and Oregon pass laws or regulations prohibiting fishing by their respective citizens in the international waters of the Pacific Ocean with any gear other than troll gear or angling gear within one year from the date of passage of this act. Such laws or regulations shall be considered to be in effect upon receipt by the secretary of state of this state a certificate from each of the respective secretaries of state of Oregon, California, and Alaska setting forth copies of such laws or regulations and the date of their enactment. In any prosecution under this section, proof of the existence of such laws or regulations shall be made by filing copies of such certificates, certified by the director to be true copies, with the court. In any such prosecution, if written demand for proof of the existence of such laws or

regulations is not made by the defendant prior to commencement of trial, he shall be deemed to have waived his right to make such demand, and thereafter such laws or regulations shall be presumed to exist.

SEC. 2. Section 5, chapter 108, Laws of 1957 and RCW 75.12.230 are each amended to read as follows:

It shall be unlawful for any person to transport through the waters of the state wherein salmon net fishing is prohibited, or to have in his possession anywhere within the state, any salmon which were taken by any type of net within the international waters of the Pacific Ocean or within the territorial waters of this state or of another state, territory or country where such fishing is unlawful: It shall further be unlawful for any person, within the territorial waters of the Pacific Ocean where salmon net fishing is prohibited, to possess any salmon on board any vessel carrying a net of a type named in chapter 75.28, unless accompanied by a certificate issued under the authority of this state or of another state, territory, or country showing that such salmon have been lawfully taken therein: *Provided*, That it shall be unlawful for any person to transport through the waters of the state wherein salmon fishing by the use of any type of fishing gear other than troll lines or angling gear is prohibited, or to have in his possession anywhere within the state, any salmon which were taken by any type of fishing gear other than troll lines or angling gear within the international waters of the Pacific Ocean or within the territorial waters of this state or of another state or country where such fishing is unlawful: It shall further be unlawful for any person, within the territorial waters of the Pacific Ocean where salmon fishing by any type of fishing gear other than troll lines or angling gear is prohibited, to possess any salmon on board any vessel carrying any fishing gear of a type other

RCW 75.12.230 amended.

Possession, transportation, of salmon taken other than by troll gear or angling gear unlawful, when.

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than troll lines or angling gear, unless accompanied by a certificate issued under authority of this state or of another state, territory, or country showing that such salmon have been lawfully taken therein if California, Alaska and Oregon pass laws or regulations similarly prohibiting possession and transportation within their respective states within one year from the date of passage of this act. Such laws or regulations shall be considered to be in effect upon receipt by the secretary of state of this state a certificate from each of the respective secretaries of state of Oregon, California and Alaska setting forth copies of such laws or regulations and the date of their enactment. In any prosecution under this section, proof of the existence of such laws or regulations shall be made by filing copies of such certificates, certified by the director to be true copies, with the court. In any such prosecution, if written demand for proof of the existence of such laws or regulations is not made by the defendant prior to commencement of trial, he shall be deemed to have waived his right to make such demand, and thereafter such laws or regulations shall be presumed to exist.

New section.

SEC. 3. There is added to chapter 108, Laws of 1957 and to chapter 75.12 RCW a new section to read as follows:

Salmon in Pacific Ocean. Permits to fish with gear similar to that of vessels of foreign nations— Exception.

If upon investigation by the director of the department of fisheries it is found that vessels of foreign nations are fishing in the international waters of the Pacific Ocean contrary to the provisions of chapter 75.12 RCW, the director may by special permit authorize the citizens of this state who possess commercial salmon licenses to fish for, take and possess salmon with gear similar to that operated by the vessels of the foreign nations so fishing: *Provided*, That the director shall not issue any such permits if the vessels of foreign nations are fishing for salmon

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in international waters of the Pacific Ocean in conformity with treaty agreements with the United States.

Passed the House March 13, 1963.

Passed the Senate March 12, 1963.

Approved by the Governor March 26, 1963.

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## CHAPTER 235.

[ H. B. 303. ]

### PHYSICAL EDUCATION.

AN ACT relating to physical education; and amending section 5, chapter 89, Laws of 1919, section 2, chapter 89, Laws of 1919, as amended by section 1, chapter 78, Laws of 1923 and RCW 28.05.040.

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

SECTION 1. Section 5, chapter 89, Laws of 1919, section 2, chapter 89, Laws of 1919, as amended by section 1, chapter 78, Laws of 1923 (heretofore combined and codified as RCW 28.05.040) are each amended to read as follows:

RCW 28.05.040 amended.

All high schools of the state and community colleges shall, and all state colleges, the University of Washington and the Washington State University, shall, each of them, emphasize the work of physical education, and shall carry into effect all such courses provided by the state board of education; which shall provide for a minimum of ninety minutes in each school week: *Provided*, That individual students may be excused on account of physical disability, employment or religious belief, or because of participation in directed athletics or military

Physical education in high schools and higher institutions.

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