

(5) Section 29.59.060, chapter 9, Laws of 1965 and RCW 29.59.060.

Passed the Senate April 25, 1983.

Passed the House May 7, 1983.

Approved by the Governor May 14, 1983.

Filed in Office of Secretary of State May 14, 1983.

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CHAPTER 31

[Engrossed Substitute Senate Bill No. 3628]

HOOD CANAL SHRIMP LICENSE—COMMERCIAL CLAM DIGGER'S LICENSE

AN ACT Relating to shellfish; amending section 75.28.285, chapter 12, Laws of 1955 as amended by section 1, chapter 27, Laws of 1965 ex. sess. and RCW 75.28.285; adding a new section to chapter 75.25 RCW; adding a new section to chapter 75.28 RCW; prescribing penalties; and providing an effective date.

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

NEW SECTION. Sec. 1. There is added to chapter 75.25 RCW a new section to read as follows:

(1) A Hood Canal shrimp license is required to take or possess shrimp taken for personal use from that portion of Hood Canal lying south of the Hood Canal floating bridge.

(2) The annual fees for Hood Canal shrimp licenses are:

(a) For a resident license, five dollars, except that a person seventy years of age or older may pay a one-time fee of five dollars;

(b) For a nonresident license, fifteen dollars.

(3) Hood Canal shrimp licenses shall be issued only under authority of the director. The director may authorize license dealers to issue the licenses and collect the license fees. In addition to the license fee, license dealers may charge a dealer's fee of fifty cents. The dealer's fee may be retained by the license dealer.

(4) The director shall adopt rules for the issuance of Hood Canal shrimp licenses and for the collection, payment, and handling of license fees and dealer's fees.

(5) Notwithstanding RCW 75.04.090, for the purposes of this section, "resident" means a person who for at least ninety days immediately preceding application for a license has maintained a permanent place of abode within this state and has established by formal evidence an intent to continue residence within this state. All other persons are nonresidents.

(6) Hood Canal shrimp licenses are not transferable.

(7) Upon request of a fisheries patrol officer or ex officio fisheries patrol officer, a person taking or possessing shrimp for personal use in that portion of Hood Canal south of the Hood Canal floating bridge shall exhibit the

required license and write his or her signature for comparison with the signature on the license. Failure to comply with the request is prima facie evidence that the person does not have a license or is not the person named on the license.

(8) A person who violates a provision of this section or who knowingly falsifies information required for the issuance of a Hood Canal shrimp license is guilty of a misdemeanor and is subject to the penalties provided in chapter 9A.20 RCW.

NEW SECTION. Sec. 2. There is added to chapter 75.28 RCW a new section to read as follows:

(1) In addition to a shellfish pot license, a Hood Canal shrimp endorsement is required to take shrimp commercially in that portion of Hood Canal lying south of the Hood Canal floating bridge. The annual endorsement fee is one hundred sixty-five dollars for a resident and three hundred forty dollars for a nonresident.

(2) Not more than fifty shrimp pots may be used while commercially fishing for shrimp in that portion of Hood Canal lying south of the Hood Canal floating bridge.

Sec. 3. Section 75.28.285, chapter 12, Laws of 1955 as amended by section 1, chapter 27, Laws of 1965 ex. sess. and RCW 75.28.285 are each amended to read as follows:

A clam digger's license shall be required of any person digging clams for commercial purposes from the waters or beaches of this state, and the annual fee for such license shall be ((five)) fifty dollars ((per season, as defined by the director of fisheries)) for residents and one hundred dollars for nonresidents, for razor clams: PROVIDED, That such license shall not be required for licensed clam farmers or their agents or employees who dig only on licensed clam farms.

It shall be unlawful for any person to dig hard shell clams for commercial purposes from the waters or beaches of this state: PROVIDED, That it shall be lawful to dig hard shell clams for commercial purposes on licensed clam farms.

NEW SECTION. Sec. 4. This act shall take effect January 1, 1984.

Passed the Senate May 9, 1983.

Passed the House May 6, 1983.

Approved by the Governor May 14, 1983.

Filed in Office of Secretary of State May 14, 1983.