

vacated land for the construction, repair, and maintenance of public utilities and services: PROVIDED FURTHER, That no city or town shall be authorized or have authority to vacate such street, or alley, or any parts thereof if any portion thereof abuts on a body of salt or fresh water unless such vacation be sought to enable the city, town, port district or state to acquire the property for port purposes, boat moorage or launching sites, park, viewpoint, recreational, or educational purposes, or other public uses. This proviso shall not apply to industrial zoned property. A certified copy of such ordinance shall be recorded by the clerk of the legislative authority and in the office of the auditor of the county in which the vacated land is located.

Passed the Senate March 16, 1985.

Passed the House April 18, 1985.

Approved by the Governor May 10, 1985.

Filed in Office of Secretary of State May 10, 1985.

CHAPTER 255

[Senate Bill No. 3593]

MT. ST. HELENS—LOCAL GOVERNMENT REIMBURSEMENT

AN ACT Relating to previous reimbursements for costs related to the Mt. St. Helens eruption; and creating new sections.

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

NEW SECTION. Sec. 1. The legislature recognizes the financial plight of communities that received state assistance in the aftermath of the Mt. St. Helens disaster and were subsequently found to have used portions of the state funds for costs directly resulting from the disaster, but not considered eligible for reimbursement under the Federal Emergency Management Agency (FEMA) guidelines. The legislature therefore declares that all units of local government that originally received state grants under section 8, chapter 5, Laws of 1981 shall be reimbursed not more than one hundred percent of the actual costs incurred by the local government prior to December 31, 1983, that are directly attributable to the eruption of Mt. St. Helens except that no jurisdiction may receive recovery assistance funds in addition to those previously forwarded in accordance with section 8, chapter 5, Laws of 1981.

NEW SECTION. Sec. 2. Costs of a state auditor's division of municipal corporations' examination, when necessary to establish compliance with this act, shall be borne by the unit of local government being audited.

NEW SECTION. Sec. 3. Any funds returned to the state of Washington pursuant to this act shall be placed in the general fund.

NEW SECTION. Sec. 4. No appropriation is necessary to carry out the purposes of this act.

Passed the Senate March 11, 1985.

Passed the House April 11, 1985.

Approved by the Governor May 10, 1985.

Filed in Office of Secretary of State May 10, 1985.

CHAPTER 256

[Substitute Senate Bill No. 4041]

STATE OYSTER RESERVES

AN ACT Relating to state oyster reserves; amending RCW 75.24.060; and adding a new section to chapter 75.24 RCW.

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

Sec. 1. Section 75.24.060, chapter 12, Laws of 1955 as last amended by section 81, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.24.060 are each amended to read as follows:

It is the policy of the state to improve state oyster reserves so that they are productive and yield a revenue sufficient for their maintenance. In fixing the price of oysters and other shellfish sold from the reserves, the director shall take into consideration this policy. It is also the policy of the state to maintain the oyster reserves to furnish shellfish to growers and processors and to stock public beaches.

Shellfish may be harvested from state oyster reserves for personal use as prescribed by rule of the director.

The department shall periodically inventory the state oyster reserves and assign the reserve lands into management categories:

(1) Native Olympia oyster broodstock reserves;

(2) Commercial shellfish harvesting zones;

(3) Commercial shellfish propagation zones designated for long-term leasing to private aquaculturists;

(4) Public recreational shellfish harvesting zones;

(5) Unproductive land.

The department shall manage each category of oyster reserve land to maximize the sustained yield production of shellfish consistent with the purpose for establishment of each management category.

The department shall develop an oyster reserve management plan, to include recommendations for leasing reserve lands, in coordination with the shellfish industry, by January 1, 1986. The report shall be presented to the house and senate committees on natural resources.

The director shall protect, reseed, improve the habitat of, and replant state oyster reserves and issue cultch permits.