

However, an examination of the issues identified is valuable and timely. I will explore methods of conducting such an examination on the part of the state and with the cooperation of local government and the private sector.

With the exception of section 10, Substitute Senate Bill No. 5648 is approved.\*

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## CHAPTER 426

[Substitute Senate Bill No. 5289]

### REGIONAL FISHERIES ENHANCEMENT GROUPS

AN ACT Relating to fisheries enhancement; adding a new chapter to Title 75 RCW; adding a new section to chapter 75.08 RCW; and making an appropriation.

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

**NEW SECTION.** Sec. 1. The legislature finds that it is in the best interest of the salmon resource of the state to encourage the development of regional fisheries enhancement groups. The accomplishments of one existing group, the Grays Harbor fisheries enhancement task force, have been widely recognized as being exemplary. The legislature recognizes the potential benefits to the state that would occur if each region of the state had a similar group of dedicated citizens working to enhance the salmon resource.

The legislature authorizes the formation of regional fisheries enhancement groups. These groups shall be eligible for state financial support and shall be actively supported by the department of fisheries. The regional groups shall be operated on a strictly nonprofit basis, and shall seek to maximize the efforts of volunteer and private donations to improve the salmon resource for all citizens of the state.

**\*NEW SECTION.** Sec. 2. *Any interested person may become a member of a regional fisheries enhancement group. To obtain funding from the regional fisheries enhancement group account, the membership of each group shall select its board members and chair by a democratic process. It is desirable for the group to have representation from all categories of fishermen that have interest in salmon within the region, as well as the general public.*

*The director shall appoint a department employee to serve as a liaison between the department and the group. The department liaison shall actively participate in the activities of the group and facilitate its operation in any way possible.*

\*Sec. 2 was vetoed, see message at end of chapter.

**\*NEW SECTION.** Sec. 3. *Eight regional fisheries enhancement groups are authorized:*

- (1) *Columbia river, and its tributaries, above Bonneville dam;*
- (2) *Columbia river, and its tributaries, below Bonneville dam;*
- (3) *Grays Harbor;*
- (4) *Willapa Bay;*
- (5) *North Coast and the Straits of Juan de Fuca;*
- (6) *Puget Sound, and adjacent rivers and lakes, north of Everett;*

*(7) Central Puget Sound between Everett and Tacoma; and*

*(8) South Puget Sound, and adjacent rivers and lakes, south of Tacoma.*

\*Sec. 3 was vetoed, see message at end of chapter.

**NEW SECTION.** Sec. 4. Regional fisheries enhancement groups, consistent with the long-term regional policy statements developed under RCW 75.50.020, shall seek to:

(1) Enhance the salmon resource of the state;

(2) Maximize volunteer efforts and private donations to improve the salmon resource for all citizens;

(3) Assist the department in achieving the goal to double the state-wide salmon catch by the year 2000 under chapter 214, Laws of 1988; and

(4) Develop projects designed to supplement the fishery enhancement capability of the department of fisheries.

**\*NEW SECTION.** Sec. 5. *The director shall cooperate fully with the regional fisheries enhancement groups authorized by this chapter. The director shall supply salmon eggs, technical information, surplus equipment, professional consultation, and any other assistance that can be provided to the group.*

\*Sec. 5 was vetoed, see message at end of chapter.

**\*NEW SECTION.** Sec. 6. *The chair of each regional fisheries enhancement group shall coordinate with the department to assure that the department and the group are working in harmony toward mutually agreeable goals.*

\*Sec. 6 was vetoed, see message at end of chapter.

**\*NEW SECTION.** Sec. 7. *(1) The legislature finds that the wise management and economic health of the state's recreational and commercial fishing industries are of paramount importance to the people of the state and to the economy of the state as a whole. The legislature finds that it is in the best social, economic, and cultural interest of the state to provide, maintain, and enhance recreational fishing opportunities in the state and offshore waters while maintaining and encouraging a healthy commercial fishing industry.*

*(2) Funding for regional fisheries enhancement groups shall be from a variety of funding sources.*

*(a) Start up grant – Each group is authorized to apply for a one time grant of eight thousand dollars per group. The grant will be administered by the director and shall be utilized for initial organizational and planning expenses.*

*(b) State loan – Each group may apply for state-funded enhancement loans. Loan applications shall be submitted to the salmon advisory council for initial recommendations. The director shall further review loan applications and then submit the applications to the legislature for approval. Payback of said loans shall be structured to coincide with probable income*

*generated from the group's cost recovery program. Funds for enhancement loans shall be appropriated from the regional fisheries enhancement group account.*

*(c) Cost recovery – Sale of salmon carcasses and eggs under RCW 75-.52.035 that return to group facilities.*

*(d) Operational grants – A surcharge of one dollar shall be collected annually on every recreational salmon license sold in the state. The revenues derived from this surcharge shall be placed in the regional fisheries enhancement group account hereby created in the state treasury. A surcharge of fifty dollars shall be collected annually on every commercial salmon fishing license and charter boat license sold in the state. The revenue from this surcharge shall be placed in the regional fisheries enhancement group account.*

*The director shall administer the regional fisheries enhancement group account. Operational grants are to be made to regional groups of up to ninety percent of the project costs to match direct and in-kind contributions secured by the regional group. The director may utilize up to ten percent of the account for department expenses.*

*(e) Private contributions – The groups are encouraged to conduct periodic fundraising activities.*

*\*Sec. 7 was vetoed, see message at end of chapter.*

*\*NEW SECTION. Sec. 8. A new section is added to chapter 75.08 RCW to read as follows:*

*The director shall report annually to the senate environment and natural resources committee and the house fisheries and wildlife committee or their successor committees on the catch by commercial and sport fishers of the fishery resource resulting from enhancement efforts both by the department and volunteer cooperative projects. The first report shall be submitted by January 1, 1990.*

*\*Sec. 8 was vetoed, see message at end of chapter.*

*NEW SECTION. Sec. 9. The sum of sixty-four thousand dollars, or as much thereof as may be necessary, is appropriated from the general fund to the department of fisheries for the biennium ending June 30, 1991, to carry out the purposes of start up grants to regional fisheries enhancement groups.*

*NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.*

**NEW SECTION.** Sec. 11. Sections 1 through 7 of this act shall constitute a new chapter in Title 75 RCW.

Passed the Senate April 23, 1989.

Passed the House April 23, 1989.

Approved by the Governor May 14, 1989, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 14, 1989.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 2, 3, 5, 6, 7, and 8, Substitute Senate Bill No. 5289 entitled:

"AN ACT Relating to fisheries enhancement."

Our commitment to enhance salmon resources is an empty promise unless we are all willing to provide the financial resources necessary to fulfill it. I believe that the funding mechanism envisioned in this bill can work to supplement other state and federal funds if properly structured.

I am supportive of approaching fisheries enhancement by way of regional and volunteer cooperative groups. I believe, however, that the portions of this bill relating to the formation of these regional groups are so poorly drafted that they could lead to excessive administrative work and lack of accountability for the use of state funds.

As an alternative to sections 2 and 3, I am directing the Department of Fisheries to use its general rule-making authority to implement the intent of the bill in a manner that is workable and, more importantly, accountable. Criteria must be in place requiring recipients of funds to be incorporated as non-profit groups with the Secretary of State. Additionally, requirements for audits must be included.

Sections 5 and 6 fail to establish a clear relationship between the authority of the department and the regional groups. These sections could imply control by the groups. This interference with the decision-making prerogatives of the department is unacceptable to me.

Section 7 is vetoed because it requires legislative approval of each loan application. Decisions on applications for funding should be made by the Department of Fisheries without legislative approval. This veto does not mean that I am not supportive of loans for funding fisheries enhancement. In fact, the opposite is true. Because I am unable to partially veto this language, I must veto the entire section.

I am vetoing section 8 because it will require the department to tag smolt and compile data at great expense in order to document specific fish catch related to enhancement projects.

With the exception of sections 2, 3, 5, 6, 7, and 8, Substitute Senate Bill No. 5289 is approved."

## CHAPTER 427

[Substitute House Bill No. 1968]

### LONG TERM CARE SERVICES

AN ACT Relating to long-term care; amending RCW 74.08.541, 74.08.545, 74.08.550, 74.08.570, 74.41.050, and 74.09.520; adding a new chapter to Title 74 RCW; adding a new chapter to Title 70 RCW; adding a new section to chapter 74.09 RCW; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding a new section to chapter 35.22 RCW; adding a new section to chapter 36.32 RCW; creating new sections; repealing RCW 74.08.044; making an appropriation; and declaring an emergency.