

Every hairdressing or cosmetology or manicurist shop shall maintain an outside entrance separate from the entrances to rooms used for sleeping or residential purposes.

From and after July 1, 1959 every hairdressing or cosmetology or manicurist shop shall provide and maintain for the use of the customers adequate toilet facilities located within the shop or adjacent thereto.

No hairdressing or cosmetology shop shall be operated unless it is under the direct supervision of a licensed manager operator.

No manicurist shop shall be operated unless it is under the direct supervision of a licensed manicurist manager operator.

No person other than a licensed manicurist or a licensed operator in demonstrating or instructing in the use of any cosmetics or supplies of any kind, shall engage in any of the acts enumerated in RCW 18.18.010.

No student shall engage in the practice of hairdressing or cosmetology except in a licensed school under the direct supervision of a licensed instructor operator.

NEW SECTION. Sec. 5. There is added to chapter 18.18 RCW a new section to read as follows:

It shall be unlawful for any person, firm, or corporation to operate a manicurist shop without a manicurist shop license. Application for a license shall be made on forms furnished by the director and shall contain the information that the director may reasonably require. Upon receipt of the application and fee required by this chapter, the director shall issue a location license if the shop meets the other requirements of this chapter.

Passed the Senate April 2, 1979.

Passed the House May 29, 1979.

Approved by the Governor June 15, 1979.

Filed in Office of Secretary of State June 15, 1979.

CHAPTER 243

[Substitute House Bill No. 1]

RAZOR-CLAMMING LICENSES—APPROPRIATION

AN ACT Relating to food fish and shellfish; adding a new chapter to Title 75 RCW; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

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

NEW SECTION. Section 1. The legislature, recognizing that the digging of razor clams, *Siliqua patula*, is a major recreational asset to the state, declares that it is the policy of the state to improve recreational razor clam digging for residents of the state. The legislature finds that clam wastage and violation of daily bag limits by some clam diggers has made effective clam resource conservation extremely difficult. It is the intent of

the legislature to provide a razor clam license program that will be an aid to effective management and conservation of the razor clam resource. It is also the intent of the legislature to provide a source of funds that can be used to defray the expenses of added enforcement, enhancement, research, and educational programs related to razor clams.

NEW SECTION. Sec. 2. It is unlawful for any person to take, dig for, or have in his or her possession any razor clam that is taken for personal use from the clam beds of this state without first having obtained and having in his or her possession a razor-clamming license as provided in section 3 of this act.

NEW SECTION. Sec. 3. Razor-clamming licenses shall be issued by or under the authority of the director of fisheries. The director may authorize license dealers to issue the licenses and charge an agent's fee of not more than fifty cents in addition to the license fee.

The director shall adopt appropriate rules for the issuance of razor-clamming licenses and for the collection, payment, and handling of license fees and agent's fees.

NEW SECTION. Sec. 4. (1) The fees for razor-clamming licenses are:

- (a) For an annual resident license, two dollars and fifty cents; and
- (b) For an annual nonresident license, ten dollars.

(2) Any person sixty-five years of age or older or under sixteen years of age shall be issued, upon making an affidavit to such effect and upon payment of the dealer fee established in section 3 of this act, a personal use razor clam license at no cost.

(3) For the purposes of this chapter, "resident" means a person who, for at least thirty 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.

(4) License fees received from the issuance of razor-clamming licenses shall be paid into the general fund and shall be subject to legislative appropriation until the cumulative total subject to legislative appropriation equals the appropriation under section 11 of this act or so much of that appropriation as is actually used. Any excess over the amount appropriated or used shall be credited to the department of fisheries and shall be expended on the development or operation of programs beneficial to razor clam harvesting.

NEW SECTION. Sec. 5. (1) Razor-clamming licenses are nontransferable. A person digging for razor clams or having razor clams in his or her possession that are taken for personal use from the clam beds of this state shall, upon demand of any fisheries patrol officer, fisheries inspector, deputy fisheries inspector, game protector, or law enforcement officer within their respective jurisdictions, exhibit his or her license and write his or her

name for the purpose of comparison with the signature on the license. Failure to exhibit the license or write the name upon demand shall be prima facie evidence that the person has no license or is not the person named on the license in the person's possession.

(2) The razor-clamming license shall be attached to an outer garment or be otherwise visible on the person of the licensee.

NEW SECTION. Sec. 6. A person who violates sections 2 or 5 of this act or the rules adopted by the director under section 3 of this act or who knowingly falsifies any information required for the issuance of a razor-clamming license is guilty of a misdemeanor and shall incur the penalties set forth in RCW 9A.20.020(3), as now or hereafter amended.

NEW SECTION. Sec. 7. The department shall report annually prior to December 31 to the legislature on the number of licenses sold, revenues received, the results of the programs initiated under this chapter, and the status of the resource to enable the legislature to determine if the provisions of this chapter have proved beneficial to the utilization and conservation of the resource.

NEW SECTION. Sec. 8. Sections 1 through 7 of this act shall constitute a new chapter in Title 75 RCW.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1979.

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. There is appropriated to the department of fisheries for the 1979-1981 biennium from the general fund, the sum of seven hundred thirty thousand dollars, or so much thereof as may be necessary, for the purposes of implementing this act, including:

- (1) Increased enforcement;
- (2) Resource enhancement and research projects;
- (3) Educational programs; and
- (4) Administration.

Passed the House June 1, 1979.

Passed the Senate June 1, 1979.

Approved by the Governor June 15, 1979.

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