

Sec. 1. Section 2, chapter 31, Laws of 1988 as amended by section 2, chapter 60, Laws of 1989 and RCW 81.80.430 are each amended to read as follows:

(1) After June 30, 1991, each broker or forwarder shall file with the commission and keep in effect, a surety bond or deposit of satisfactory security, in a sum to be determined by the commission, but not less than five thousand dollars, conditioned upon such broker or forwarder making compensation to shippers, consignees, and carriers for all moneys belonging to them and coming into the broker's or forwarder's possession in connection with the transportation service.

(2) After June 30, 1991, it is unlawful for a broker or forwarder to conduct business as such in this state without first securing appropriate authority from the Interstate Commerce Commission, if such authority is required, and registering with the Washington utilities and transportation commission. The commission shall grant such registration without hearing, upon application and payment of the appropriate filing fee prescribed by this chapter for other applications for operating authority.

(3) Failure to file the bond or deposit the security is sufficient cause for refusal of the commission to grant the application for a permit or registration. Failure to maintain the bond or the deposit of security is sufficient cause for cancellation of a permit or registration.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 3, 1990.

Passed the Senate March 1, 1990.

Approved by the Governor March 19, 1990.

Filed in Office of Secretary of State March 19, 1990.

CHAPTER 110

[Second Substitute Senate Bill No. 5845]

GAME FISH PRODUCTION—DOUBLING BY THE YEAR 2000

AN ACT Relating to anadromous and resident game fish production; adding a new section to chapter 77.12 RCW; and creating new sections.

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

NEW SECTION. Sec. 1. The legislature finds that the anadromous and resident game fish resource of the state can be greatly increased to benefit recreational fishermen and the economy of the state. Investments in the increase of anadromous and resident game fish stocks will provide benefits many times the cost of the program and will act as a catalyst for many

additional benefits in the tourism and associated industries, while enhancing the livability of the state.

NEW SECTION. Sec. 2. A new section is added to chapter 77.12 RCW to read as follows:

The legislature hereby directs the department of wildlife to determine the feasibility and cost of doubling the state-wide game fish production by the year 2000. The department shall seek to equalize the effort and investment expended on anadromous and resident game fish programs. The department of wildlife shall provide the legislature with a specific plan for legislative approval that will outline the feasibility of increasing game fish production by one hundred percent over current levels by the year 2000. The plan shall contain specific provisions to increase both hatchery and naturally spawning game fish to a level that will support the production goal established in this section consistent with wildlife commission policies. Steelhead trout, searun cutthroat trout, resident trout, and warmwater fish producing areas of the state shall be included in the plan. The department of wildlife shall provide the plan to the house of representatives and senate ways and means, environment and natural resources, environmental affairs, fisheries and wildlife, and natural resources committees by December 31, 1990.

The plan shall include the following critical elements:

- (1) Methods of determining current catch and production, and catch and production in the year 2000;
- (2) Methods of involving fishing groups, including Indian tribes, in a cooperative manner;
- (3) Methods for using low capital cost projects to produce game fish as inexpensively as possible;
- (4) Methods for renovating and modernizing all existing hatcheries and rearing ponds to maximize production capability;
- (5) Methods for increasing the productivity of natural spawning game fish;
- (6) Application of new technology to increase hatchery and natural productivity;
- (7) Analysis of the potential for private contractors to produce game fish for public fisheries;
- (8) Methods to optimize public volunteer efforts and cooperative projects for maximum efficiency;
- (9) Methods for development of trophy game fish fisheries;
- (10) Elements of coordination with the Pacific Northwest Power Council programs to ensure maximum Columbia river benefits;
- (11) The role that should be played by private consulting companies in developing and implementing the plan;
- (12) Coordination with federal fish and wildlife agencies, Indian tribes, and department of fisheries fish production programs;

- (13) Future needs for game fish predator control measures;
- (14) Development of disease control measures;
- (15) Methods for obtaining access to waters currently not available to anglers; and
- (16) Development of research programs to support game fish management and enhancement programs.

The department of wildlife, in cooperation with the department of revenue, shall assess various funding mechanisms and make recommendations to the legislature in the plan. The department of wildlife, in cooperation with the department of trade and economic development, shall prepare an analysis of the economic benefits to the state that will occur when the game fish production is increased by one hundred percent in the year 2000.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1990, in the omnibus appropriations act, this act shall be null and void.

Passed the Senate March 3, 1990.

Passed the House March 1, 1990.

Approved by the Governor March 19, 1990.

Filed in Office of Secretary of State March 19, 1990.

CHAPTER 111

[Senate Bill No. 6396]

DEEDS OF TRUST

AN ACT Relating to deeds of trust; and amending RCW 61.24.030 and 61.24.100.

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

Sec. 1. Section 3, chapter 74, Laws of 1965 as last amended by section 2, chapter 352, Laws of 1987 and RCW 61.24.030 are each amended to read as follows:

It shall be requisite, to foreclosure under this chapter:

- (1) That the deed of trust contains a power of sale;
- (2) That the deed of trust provides in its terms that the real property conveyed is not used principally for agricultural or farming purposes;
- (3) That a default has occurred in the obligation secured or a covenant of the grantor, which by the terms of the deed of trust makes operative the power to sell;
- (4) That no action commenced by the beneficiary of the deed of trust or the beneficiary's successor is now pending to seek satisfaction of an obligation secured by the deed of trust in any court by reason of the grantor's default on the obligation secured: PROVIDED, That (a) the seeking of the appointment of a receiver shall not constitute an action for purposes of this chapter; and (b) if a receiver is appointed, the grantor shall be entitled to any rents or profits derived from property subject to a homestead as defined