

ate a fund to be known as the "Port of Fund," into which shall be paid all money received by him from the collection of taxes in behalf of such port district, and shall also maintain such other special funds as may be created by the port commission into which shall be placed such moneys as the port commission may by its resolution direct. All such port funds shall be deposited with the county depositories under the same restrictions, contracts and security as is provided by statute for county depositories and all interest collected on such port funds shall belong to such port district and shall be deposited to its credit in the proper port funds.

Passed the Senate March 4, 1921.

Passed the House March 9, 1921.

Approved by the Governor March 21, 1921.

CHAPTER 180.

[S. B. 201.]

FISHERIES.

AN ACT relating to fisheries, providing for the preservation, protection and perpetuation of food fishes, amending sections 43, 48, 58, 65, 73, 82, 88, and 96 and repealing section 98 of chapter 31 of the Laws of 1915, and declaring that this act shall take effect March 31, 1921.

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

SECTION 1. That section 43 of chapter 31 of the Laws of 1915 be amended to read as follows:

Section 43. No license for taking or catching salmon or other food or shell fish required by this act shall be issued to any person who is not a citizen of the United States of the age of eighteen years or over, unless such person has declared his intention to become a citizen, and is and has been an actual

Licenses,
who not
entitled to.

resident of the state for one year immediately preceding the application for such license. Nor shall any license be issued to a corporation unless it is authorized to do business in this state. Nothing herein contained shall be construed to prevent the issuance of licenses to Indians, providing such applicant possess the qualifications of residence hereinbefore required, nor prevent the renewal of licenses for fixed appliances by persons now holding the same; and on and after January 1, 1922, no license for the taking or catching of salmon or other food or shell fish, required by this act, shall be issued to any person who is not a citizen of the United States, or to any Indian not born in the United States, or to any corporation unless the holders of a majority of its stock are citizens of the United States: *Provided*, That corporations authorized to do business in this state and holding fishing licenses on January 1, 1922, shall be entitled to licenses and to the renewal thereof from time to time and shall be unaffected by the provisions of this section.

SEC. 2. That section 48 of chapter 31 of the Laws of 1915 be amended to read as follows:

Section 48. All license fees, catch taxes and other taxes, fines and moneys realized from the sale of property seized or confiscated under the provisions of this act, and all bail monies forfeited under prosecutions instituted under the provisions of this act, and all monies realized from the sale of any of the property of the state of Washington, under the control of the department of fisheries and game, and all monies collected for damages and injuries to any such property, shall be paid into the state treasury and placed in the fund known as the "fisheries fund," which shall not be used for any purpose other than for the propagation, protection and perpetuation of food and shell fishes, and the administration and enforcement of the laws relating thereto.

"Fisheries
fund."

All unexpended balance thereof shall continue in such fund, unless otherwise disposed of by the legislature. The director of fisheries and game is directed to expend such funds, as nearly as may be, in the localities from which they are collected. All fines collected shall be remitted monthly by the justice of the peace or by the clerk of the court collecting the same to the county treasurer of the county in which the same shall be collected, and the county treasurer shall at least once a month remit the same to the state treasurer and shall at the same time furnish a statement to the director of fisheries and game showing the amount of fines so remitted and from whom collected.

SEC. 3. That section 58 of chapter 31 of the Laws of 1915 be amended to read as follows:

Right to take fish for sale limited to citizens.

Section 58. It shall be unlawful for any person to fish or take for sale or profit any salmon or other food or shell fish in any of the rivers or waters of this state or over which it has concurrent jurisdiction in civil and criminal cases, unless such person be a citizen of the United States or has declared his intention to become such and is and has been for twelve months immediately prior to the time he engages in such business an actual resident of this state or an adjoining state; but this section shall not apply to Indians.

SEC. 4. That section 65 of chapter 31 of the Laws of 1915 be amended to read as follows:

Closed season, violations.

Section 65. It shall be unlawful for any person, firm or corporation to purchase, handle, deal in or have in his possession any food fish of any variety which were taken from the waters of this state during any of the closed seasons prescribed in this act, or which may hereafter be prescribed by the state fisheries board, and any person who purchases, handles, deals in or has in his possession any such

fish during such periods, shall be guilty of a misdemeanor. And it shall be unlawful for any person, firm or corporation to purchase, handle, deal in, or have in his possession, any salmon fish of any variety which were taken beyond the three-mile limit during any of the closed seasons prescribed in this act or which may hereafter be prescribed by the state fisheries board. Any of the salmon, which were lawfully taken in any of the districts of this state, as by this act defined, may be shipped into any other district of this state, even though the taking of salmon in the district into which the shipment is made, may be prohibited at the time said shipment is made.

SEC. 5. That section 73 of chapter 31 of the Laws of 1915 be amended to read as follows:

Section 73. It shall be unlawful for any person whomsoever, save the director of fisheries and game and those authorized by him, to take salmon or other fish for propagation purposes within the waters of this state. The director of fisheries and game or those authorized by him may take salmon or other fish at any time and in any manner for propagation or scientific investigation purposes. He may grant authority to take salmon for public propagation purposes under such regulations as he may prescribe to safeguard the interests of the fishery of this state.

Taking for
propagation.

SEC. 6. That section 82 of chapter 31 of the Laws of 1915 be amended to read as follows:

Section 82. It shall be unlawful to cast or pass, to suffer or permit to be cast or passed into any waters of this state, either fresh or salt, any sawdust, planer shavings, wood pulp or other waste, lime, gas, coculus indicus, chemical substances or any refuse or waste material substance or matter at any time whatsoever deleterious to fish or shell fish: *Provided, however,* That the director of fisheries and game

Pollution of
waters.

shall have the power to grant permits for the sawing of logs in such waters as in his judgment can be used for that purpose without injury to food or game fish.

SEC. 7. That section 88 of chapter 31 of the Laws of 1915 be amended to read as follows:

Private
hatcheries.

Section 88. Any person, firm or corporation engaged in the business of taking fish spawn and the artificial hatching thereof, or in the raising of fry and fish therefrom, in any of the waters or streams of this state, shall be deemed to be conducting a private fish hatchery under the terms of this act. The director of fisheries and game is hereby authorized each year to sell to any person, firm or corporation engaged in the business of conducting a private fish hatchery, salmon or trout spawn to an amount not to exceed ten per cent (10%) of the eggs taken from any species at a price not to exceed two dollars (\$2.00) per thousand.

SEC. 8. That section 96 of chapter 31 of the Laws of 1915 be amended to read as follows:

Destruction
of seals and
sea lions.

Section 96. The director of fisheries and game shall have the power and it shall be his duty to cause his employees to kill and destroy seals and sea lions in the waters of the state of Washington, and he shall have the authority to expend such moneys as may from time to time be appropriated by the Legislature for such purposes and he shall keep as near as possible an accurate record of the number of seals and sea lions that are so destroyed. Any person killing or causing to be killed in the waters of the state, any common seal or sea lion shall be entitled to receive a bounty of three dollars (\$3.00) from any monies which may be appropriated by the Legislature for the payment of the same. All monies appropriated for such purposes by the Legislature of the state shall be expended under the direction of and upon vouchers approved by the director of fisheries and

game, who shall adopt rules and regulations providing for the proof of such killing and the surrender and destruction of the scalp of such seal or sea lion.

SEC. 9. That section 98 of chapter 31 of the Laws of 1915 be and the same is hereby repealed.

Repealing
clause.

SEC. 10. The food fishes in the waters of the state of Washington shall be preserved, protected and perpetuated, and to that end such food fishes shall not be possessed, sold or disposed of at such times as will impair the supply thereof.

Impairment
of supply.

SEC. 11. The state fisheries board shall have the power from time to time to make, adopt, amend and promulgate, in the manner provided by law, rules and regulations governing the possession, disposal and sale of food fishes within the state of Washington, whether taken within or without the state of Washington, fixing the times when the possession, disposal or sale of the several classes of, or all, food fishes is prohibited.

Rules and
regulations
authorized.

SEC. 12. The state fisheries board shall have the power to enter into contracts and agreements with the United States, or any state or territory thereof, and with any foreign government, for the purpose of securing fish or fish eggs, and for the erection and maintenance of eyeing stations, fish hatcheries, rearing ponds and other appliances for the propagation of fish within or without the territorial limits of the state of Washington; and the director of fisheries and game shall have the power, and it shall be his duty, to execute and carry out any such contracts or agreements made by the state fisheries board.

Contracts
by fisheries
board.

SEC. 13. This act is necessary for the support of the state government and its existing public institutions, and shall take effect March 31, 1921.

Emergency.

Passed the Senate March 3, 1921.

Passed the House March 7, 1921.

Approved by the Governor March 21, 1921.