

cense as such for the year commencing January 1, 1938. In case of failure so to register, he can thereafter obtain a license only after examination as herein provided: *Provided, further,* That this section shall not apply to anyone who is attending an embalming school, or who is registered as an apprentice, prior to the effective date of this act.

Failure to register.

Apprentices.

Passed the House February 27, 1947.

Passed the Senate March 5, 1947.

Approved by the Governor March 11, 1947.

CHAPTER 106.

[H. B. 341.]

SALE OF OYSTERS FROM STATE OYSTER RESERVES.

AN ACT relating to the sale of oysters and other shellfish from state oyster reserves, and amending section 102 of chapter 31, Laws of 1915 (Sec. 5756, Rem. Rev. Stat., 556-1 PPC), and section 2 of chapter 199, Laws of 1945 (Sec. 5780-2 Rem. 1945 Supp., 556-6(11) PPC 1945).

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

SECTION 1. Section 102 of chapter 31, Laws of 1915 (Sec. 5756 Rem. Rev. Stat., 556-1 PPC) is hereby amended to read as follows:

Oysters,
duties of
Director of
Fisheries.

Section 102. *Oysters, Duties of Director of Fisheries.* On or before the tenth day of April of each year, the Director of Fisheries shall designate which of the oyster reserves of the state shall be opened for the taking of oysters and other shellfish therefrom during the ensuing calendar year.

It shall be the duty of the Director of Fisheries to:

Annually fix the price which shall be charged per sack of one hundred and twenty pounds of oysters or other shellfish which it shall decide to sell from the oyster reserves of the state.

Prices.

Rules and regulations.

Annually formulate rules and regulations governing the taking of such oysters or other shellfish.

Designation of reserves.

Annually designate those reserves which shall be open for sale of oysters and other shellfish therefrom, and it shall be unlawful to take oysters and other shellfish from the oyster reserves of the state unless the same shall be opened by order of the Director of Fisheries.

Policy of maintaining reserves.

It is hereby declared to be the policy of the state to annually improve some portion of the reserves, to the end that all may finally become productive, and to have these reserves yield a revenue sufficient for their maintenance and betterment, and, in fixing the price at which oysters or other shellfish shall be sold from the reserves, the Director of Fisheries shall take into consideration such policy; and it is further declared to be the policy of the state to maintain the oyster reserves for the purpose of furnishing a seed supply to the owners of oyster lands, which have heretofore been acquired and improved under previous statutes, or which may hereafter be acquired and improved under the laws of this state, and for this purpose all the oyster reserves are hereby forever reserved from sale or lease.

Monuments and boundaries.

As soon as an appropriation is made therefor, the Director of Fisheries shall erect monuments, establishing the boundaries of the several oyster reserves in the state, said monuments to be of stone or cement of not less than one hundred pounds in weight, and marked with letters "S. R." cut thereon not less than three inches long and one-half inch deep.

Protection and reseeding.

It shall be the duty of the Director of Fisheries to protect all reserves, re-seed, re-plant, and do such other things as in his judgment are necessary for their care and protection.

Merchantable oyster.

For the purposes of this section, a merchantable oyster is defined to be an oyster of the age of three or more years.

SEC. 2. Section 2, chapter 199, Laws of 1945 (Sec. 5780-21 Rem. 1945 Supp. 556-6(11) PPC 1945) is hereby amended to read as follows:

Section 2. The Director of Fisheries shall have the power to annually determine whether the oysters and other shellfish from the oyster reserves of the state (a) shall be sold by the bushel at a price set by such Director or (b) whether certain quantities or all of such oysters and other shellfish should be sold for cash at public auction or by sealed bids in such amounts as the Director shall from time to time determine. To maintain the permanency of local communities and industries, the prospects of fulfillment of contract requirement, and to restrain monopolistic controls endangering competition in the industry, the Director of Fisheries shall have the power to determine the number of bushels which shall be sold to any person, firm or corporation; and when sold at public auction, the right to reject any and all bids.

Methods
of sale.

Passed the House February 24, 1947.

Passed the Senate March 5, 1947.

Approved by the Governor March 11, 1947.