

CHAPTER 29.

[S. B. 73.]

PACIFIC MARINE FISHERIES COMPACT.

AN ACT relating to food and shell fish; providing for a compact between the states of California, Oregon and Washington, designated "The Pacific Marine Fisheries Compact," relative to the utilization, protection and conservation of fisheries in those areas of the Pacific Ocean over which the said state jointly or separately now have or may hereafter acquire jurisdiction, upon enactment of the same by two or more of said states, and upon ratification thereof by Congress in compliance with section 10, Article 1 of the Constitution of the United States; upon ratification designating the director of fisheries, ex-officio, as a member of The Pacific Marine Fisheries Commission in accordance with and with the duties and powers provided in said compact, and giving the director of fisheries power to make joint rules and regulations regulating the conduct of citizens of the State of Washington in off-shore fishing in certain instances and providing penalties for violations thereof.

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

SECTION 1. Should Congress, by virtue of the authority vested in it under section 10, Article 1, of the Constitution of the United States, providing for compacts and agreements between the states, ratify The Pacific Marine Fisheries Compact, recommended by the Interstate Committee on Off-Shore Fisheries of the Western Regional Legislative Conference of the Council of State Governments, after the enactment of this compact by two or more of the states of California, Oregon and Washington, then, and in that event, there shall exist between the contracting states a definite compact and agreement, the purport of which shall be substantially as follows:

Compact
subject to
Congressional
approval.

THE PACIFIC MARINE FISHERIES COMPACT.

The contracting states do hereby agree as follows:

ARTICLE I.

The purposes of this compact are and shall be to promote the better utilization of fisheries, marine,

Purposes of compact.

shell and anadromous, which are of mutual concern, and to develop a joint program of protection and prevention of physical waste of such fisheries in all of those areas of the Pacific Ocean over which the states of California, Oregon and Washington jointly or separately now have or may hereafter acquire jurisdiction.

Nothing herein contained shall be construed so as to authorize the aforesaid states or any of them to limit the production of fish or fish products for the purpose of establishing or fixing the prices thereof or creating and perpetuating a monopoly.

ARTICLE II.

When operative.

This agreement shall become operative immediately as to those states executing it whenever two or more of the states of California, Oregon and Washington have executed it in the form that is in accordance with the laws of the executing states and the Congress has given its consent.

ARTICLE III.

States to appoint representatives.

Each state joining herein shall appoint, as determined by state statutes, one or more representatives to a Commission hereby constituted and designated as The Pacific Marine Fisheries Commission, of whom one shall be the administrative or other officer of the agency of such state charged with the conservation of the fisheries resources to which this compact pertains. This Commission shall be a body with the powers and duties set forth herein.

Terms of Commissioners.

The term of each commissioner of The Pacific Marine Fisheries Commission shall be four years. A commissioner shall hold office until his successor shall be appointed and qualified but such successor's term shall expire four years from legal date of expiration of the term of his predecessor. Vacancies occurring in the office of such commissioner from any reason or cause shall be filled for the unexpired term, or a commissioner may be removed from

Vacancies.

office, as provided by the statutes of the state concerned. Each commissioner may delegate in writing from time to time, to a deputy, the power to be present and participate, including voting as his representative or substitute, at any meeting of or hearing by or other proceeding of the Commission.

Deputies.

Voting powers under this compact shall be limited to one vote for each state regardless of the number of representatives.

Voting.

ARTICLE IV.

The duty of the said Commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the conservation and the prevention of the depletion and physical waste of the fisheries, marine, shell, and anadromous in all of those areas of the Pacific Ocean over which the states of California, Oregon and Washington jointly or separately now have or may hereafter acquire jurisdiction. The Commission shall have power to recommend the co-ordination of the exercise of the police powers of the several states within their respective jurisdictions and said conservation zones to promote the preservation of those fisheries and their protection against over-fishing, waste, depletion or any abuse whatsoever and to assure a continuing yield from the fisheries resources of the signatory parties hereto.

Duties of Commission.

To that end the Commission shall draft and, after consultation with the Advisory Committee hereinafter authorized, recommend to the governors and legislative branches of the various signatory states hereto legislation dealing with the conservation of the marine, shell, and anadromous fisheries in all of those areas of the Pacific Ocean over which the state of California, Oregon and Washington jointly or separately now have or may hereafter acquire jurisdiction. The Commission shall, more than one

Make recommendations.

month prior to any regular meeting of the legislative branch in any state signatory hereto, present to the governor of such state its recommendations relating to enactments by the legislative branch of that state in furthering the intents and purposes of this compact.

Recommend
regulations.

The Commission shall consult with and advise the pertinent administrative agencies in the signatory states with regard to problems connected with the fisheries and recommend the adoption of such regulations as it deems advisable and which lie within the jurisdiction of such agencies.

Recommend
stocking
of fish.

The Commission shall have power to recommend to the states signatory hereto the stocking of the waters of such states with marine, shell or anadromous fish and fish eggs or joint stocking by some or all of such states and when two or more of the said states shall jointly stock waters the Commission shall act as the co-ordinating agency for such stocking.

ARTICLE V.

Officers.

The Commission shall elect from its number a chairman and a vice chairman and shall appoint and at its pleasure, remove or discharge such officers and employees as may be required to carry the provisions of this compact into effect and shall fix and determine their duties, qualifications and compensation. Said Commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place within the territorial limits of the signatory states but must meet at least once a year.

Adopt rules.

ARTICLE VI.

Majority
vote
necessary.

No action shall be taken by the Commission except by the affirmative vote of a majority of the whole number of compacting states represented at any meeting. No recommendation shall be made by

the Commission in regard to any species of fish except by the vote of a majority of the compacting states which have an interest in such species.

ARTICLE VII.

The fisheries research agencies of the signatory states shall act in collaboration as the official research agency of The Pacific Marine Fisheries Commission.

Official
research
agency.

An advisory committee to be representative of the commercial fishermen, commercial fishing industry and such other interests of each state as the Commission deems advisable shall be established by the Commission as soon as practicable for the purpose of advising the Commission upon such recommendations as it may desire to make.

Advisory
committee.

ARTICLE VIII.

Nothing in this compact shall be construed to limit the powers of any state or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any state imposing additional conditions and restrictions to conserve its fisheries.

State's
powers not
limited.

ARTICLE IX.

Continued absence of representation or of any representative on the Commission from any state party hereto, shall be brought to the attention of the governor thereof.

Absence of
representa-
tion.

ARTICLE X.

The states agree to make funds available annually to the support of the Commission in proportion to the primary market value of the products of their fisheries as recorded in the latest published reports (five year average) provided no state shall contribute less than two thousand dollars (\$2,000) per annum and the annual contribution of each state above the minimum shall be figured to the nearest one hundred dollars (\$100).

Contribution
by states.

Schedule of Contributions.

The compacting states agree to make available annual funds in the amounts scheduled below, which amounts are calculated in the manner set forth herein, on the basis of the latest five year catch records. Subsequent budgets shall be recommended by a majority of the Commission and the total amount thereof allocated equitably among the states in accordance with the above formula.

Schedule of Initial Annual State Contributions.

California	\$11,000
Oregon	2,000
Washington	2,000
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Total	\$15,000

ARTICLE XI.

Withdrawal from compact.

This compact shall continue in force and remain binding upon each state until renounced by it. Renunciation of this compact must be preceded by sending six-months' notice in writing of intention to withdraw from the compact to the other parties hereto.

Director of Fisheries to be a representative.

SEC. 2. In the event the compact set forth in section 1 of this act becomes effective, the director of fisheries, ex-officio, shall have the power, and it shall be his duty to act as the representative of the State of Washington on The Pacific Marine Fisheries Commission, in accordance with the provisions of, and with the powers and duties provided in said compact.

Director of Fisheries to make regulations.

SEC. 3. In the event the compact set forth in section 1 hereof becomes effective, the director of fisheries shall have the power and he is hereby authorized from time to time to make, adopt, amend and promulgate, governing off-shore fishing in the Pacific Ocean by citizens of the State of Washington, rules and regulations, prohibiting wastage of food or shellfish, establishing open and closed season for all fishing, designating areas open or closed to

fishing, setting minimum and maximum sizes of fish and shellfish that may be taken, declaring the kinds of food or shellfish that may be used for bait, and regulating fishing gear to be used as to mesh, size and length of nets and number, length and size of line and hooks: *Provided*, That no rule or regulation shall be issued governing the conduct of citizens of the State of Washington unless like rules or regulations or statutes have been made or will become effective jointly as to the citizens of the States of Oregon and/or California.

Regulations
must be
joint.

SEC. 4. Any person, firm or corporation violating any of the rules or regulations of the director of fisheries issued in accordance with this act, shall be guilty of a misdemeanor.

Penalty.

Passed the Senate February 5, 1947.

Passed the House February 13, 1947.

Approved by the Governor February 20, 1947.

CHAPTER 30.

[S. B. 105.]

CERTIFICATE OF BRAND INSPECTION.

AN ACT requiring a certificate of brand inspection to move certain livestock from the state; relating to the marking of the carcasses of meat food animals, and amending section 4, chapter 75, Laws of 1937 and section 8, chapter 161, Laws of 1945 (secs. 3169-4 and 3169-27, Rem. Rev. Stat.; secs. 729-7 and 720-10 (17), PPC).

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

SECTION 1. Section 4, chapter 75, Laws of 1937 (sec. 3169-4, Rem. Rev. Stat.; sec. 729-7, PPC) is hereby amended to read as follows:

Section 4. Any person, firm or corporation, public carrier or contract hauler transporting livestock on the public highways of the State of Washington must at all times have in his or their possession a