

versity of Washington, and is not to be construed as repealing or limiting any existing provision of law with reference thereto.

Severability. SEC. 9. 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.

Emergency. SEC. 10. 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 on the first day of April, 1963.

Passed the Senate March 4, 1963.

Passed the House March 11, 1963.

Approved by the Governor March 25, 1963.

CHAPTER 152.

[S. B. 374.]

GAME FISH—FISH PASSAGE FACILITIES—
PROTECTIVE DEVICES.

AN ACT relating to game fish; and adding a new section to chapter 77.16 RCW.

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

New section. SECTION 1. There is added to chapter 77.16 RCW a new section to read as follows:

Inadequate game fish passage facility, protective device, authority to modify.

In the event any fish passage facility or fish protective device as set forth in RCW 77.16.210 and 77.16.220 which have been in existence or are existing at the time of enactment of this act, is determined by the director to be inadequate for the purposes for which it was intended; the director in addition to other authority granted in this chapter may in his discretion, remove, relocate, reconstruct,

or modify said device, without cost for materials and labor to the owner or owners thereof: *Provided*,^{Proviso.} That the director may not materially modify the amount of flow of water through the facility or device. Thereafter such fish passage facility or fish protective device shall be maintained at the expense of the person or governmental agency owning said obstruction or water diversion in accordance with RCW 77.16.210 and 77.16.220.

Passed the Senate February 26, 1963.

Passed the House March 11, 1963.

Approved by the Governor March 25, 1963.

CHAPTER 153.

[S. B. 339.]

FOOD FISH—FISH PASSAGE FACILITIES— PROTECTIVE DEVICES.

AN ACT relating to food fish; and adding a new section to chapter 75.20 RCW.

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

SECTION 1. There is added to chapter 75.20 RCW a new section to read as follows:

In the event any fish passage facility or fish protective device as set forth in RCW 75.20.040 and 75.20.060 which have been in existence or are existing at the time of enactment of this act, is determined by the director to be inadequate for the purposes for which it was intended; the director in addition to other authority granted in this chapter may in his discretion, remove, relocate, reconstruct, or modify said device, without cost for materials and labor to the owner or owners thereof: *Provided*,^{Proviso.} That the director may not materially modify the amount of flow of water through the facility or device. Thereafter such fish passage facility or fish protective

Inadequate food fish passage facility, protective device, authority to modify.