

CHAPTER 253
[Engrossed House Bill No. 77]
FOOD FISH AND SHELLFISH--
GEODUCKS, OYSTERS, CLAMS--LEASES, LICENSES

AN ACT Relating to food fish and shellfish; amending section 9, chapter 212, Laws of 1955 and RCW 75.28.281; amending section 75.28.280, chapter 12, Laws of 1955, as amended by section 8, chapter 212, Laws of 1955, and RCW 75.28.280; adding a new section to chapter 12, Laws of 1955 and to chapter 75.24 RCW; and adding a new section to chapter 12, Laws of 1955 and to chapter 75.28 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 12, Laws of 1955 and to chapter 75.24 RCW a new section to read as follows:

The director of fisheries may at his discretion and with the approval of the commissioner of public lands issue licenses for the harvesting of geoduck clams for commercial purposes from leased beds of navigable waters of the state of Washington except that he may not authorize harvesting for commercial purposes on bottoms which are shallower than ten feet below mean lower low water (0.0 ft.), or which lie in an area bounded by the line of ordinary high tide (mean high tide) and a line one-quarter mile seaward from and parallel to said line of ordinary high tide. If the director shall determine that the numbers of units of gear are sufficient to harvest the known available crop and that additional units of gear might prove damaging to the resource or its habitat, he may suspend the issuance of such additional licenses for the balance of any given year or until he determines there is need for additional units of gear to achieve a sustained harvest. All harvesting shall be done with hand held, manually operated water jet or suction device guided and controlled from under water by scuba or other diver. The director shall also determine from time to time the effect of each type or unit of gear upon the geoduck population or the substrate they inhabit and he may require modification of the gear or cessation of its use if he determines that

it is being operated in a wasteful or destructive manner or that its operation tends to cause permanent damage to the bottom or adjacent shellfish populations.

Sec. 2. Section 9, chapter 212, Laws of 1955 and RCW 75.28.281 are each amended to read as follows:

A license is required for each and every oyster farm being operated for commercial purposes on privately owned or leased tidelands and on leased beds of navigable waters in the state. The fee for said license is fifteen dollars per annum, and shall be paid for each and every year in which oysters are removed from the oyster farm for purposes of sale as seed stock or otherwise. A separate license is required for each oyster farm being operated within each of the following oyster districts: northern Puget Sound district, southern Puget Sound district, Grays Harbor district, and Willapa Harbor district; said districts are to include the waters, beds, shores, beaches, and tidelands of, northern Puget Sound, southern Puget Sound, Grays Harbor, and Willapa Harbor, respectively, as geographically defined by the director of fisheries under appropriate regulations.

Sec. 3. Section 75.28.280, chapter 12, Laws of 1955, as amended by section 8, chapter 212, Laws of 1955, and RCW 75.28.280 are each amended to read as follows:

A license is required for each and every clam farm of one or more tracts of land being operated for commercial purposes on privately owned or leased tidelands and on leased beds of navigable waters in the state. The fee for said license is fifteen dollars per annum, and shall be paid for each and every year in which clams are removed from the clam farm for purposes of sale. A separate license is required for each clam farm being operated within each of the following clam districts; northern Puget Sound district, Southern Puget Sound district, Grays Harbor district, and Willapa Harbor district; said districts are to include the waters, beds, shores, beaches, and tidelands of, northern Puget Sound, southern Puget Sound, Grays Harbor, and Willapa Harbor, respectively, as geographically defined by the

director of fisheries under appropriate regulations.

NEW SECTION. Sec. 4. There is added to chapter 12, Laws of 1955 and to chapter 75.28 RCW a new section to read as follows:

A license is required for gear in which the harvesting head is directly guided or controlled by hand, the fee for which license shall be one hundred dollars per annum.

A license is required for each and every mechanical and/or hydraulic device operated for the purpose of taking clams other than geoduck clams for commercial purposes from tidelands and beds of navigable waters of the state of Washington, the fee for which license shall be three hundred dollars per annum.

NEW SECTION. Sec. 5. The provisions of this act shall be liberally construed.

NEW SECTION. Sec. 6. If any provisions of this 1969 amendatory 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.

Passed the House May 5, 1969

Passed the Senate May 4, 1969

Approved by the Governor May 23, 1969

Filed in office of Secretary of State May 23, 1969

CHAPTER 254
[House Bill No. 426]
EXCISE TAXES--AIRCRAFT FUEL

AN ACT Relating to the taxation of aircraft fuel; amending section 1, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.010; amending section 2, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.020; amending section 4, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.040; amending section 5, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.050; and amending section 6, chapter 10, Laws of 1967 ex. sess., as amended by section 4, chapter 139, Laws of 1969 and RCW 82.42.060; adding a new section to chapter 10, Laws of 1967 ex. sess. and chapter 82.42 RCW; and declaring an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON: