

when so levied shall be certified to the proper county officials for the collection of the same as for other general taxes. Such taxes when collected shall be placed in the appropriate district fund or funds as provided by law, and shall be paid out on warrants of the auditor of the county in which the district is situated, upon authorization of the board of fire commissioners of such district.

Passed the Senate May 10, 1971.

Passed the House May 10, 1971.

Approved by the Governor May 19, 1971.

Filed in Office of Secretary of State May 20, 1971.

---

CHAPTER 106

[Engrossed Senate Bill No. 335]

CRAWFISH--

TAKING FOR COMMERCIAL PURPOSES

AN ACT Relating to food fish and shellfish: adding a new section to chapter 75.12 RCW; and prescribing penalties.

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

NEW SECTION. Section 1. There is added to chapter 75.12 RCW a new section to read as follows:

It shall be unlawful to take or fish for crawfish for commercial purposes in any of the rivers, streams or lakes of the state except under conditions where crawfish have been cultured for commercial purposes or where otherwise permitted under department of fisheries rules or regulations.

Passed the Senate March 12, 1971.

Passed the House May 10, 1971.

Approved by the Governor May 19, 1971.

Filed in Office of Secretary of State May 20, 1971.

---

CHAPTER 107

[Senate Bill No. 449]

COURTS--

BUSINESS DAYS--FEES--COSTS--

APPEALS, PUBLIC SERVICE COMPANY MATTERS--

LAW DEFECTS, REPORT

AN ACT Relating to the judiciary; amending section 7, page 36, Laws of 1909 and RCW 2.04.030; amending section 1, part, chapter 151, Laws of 1903 as last amended by section 1, chapter 51,

Laws of 1951 and RCW 2.32.070; amending section 29, chapter 61, Laws of 1893 as amended by section 1, chapter 86, Laws of 1941 and RCW 4.88.260; amending section 80.04.190, chapter 14, Laws of 1961 and RCW 80.04.190; amending section 81.04.190, chapter 14, Laws of 1961 and RCW 81.04.190; and adding a new section to chapter 2.06 RCW.

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

Section 1. Section 7, page 36, Laws of 1909 and RCW 2.04.030 are each amended to read as follows:

The supreme court and the court of appeals shall always be open for the transaction of business except on ~~((nonjudicial days-~~ It shall hold regular sessions for the hearing of causes en banc, and in each of its departments, at the capital of the state at the respective times now provided by law for holding terms of the supreme court. Special sessions at the same place may be held at such other times as may be prescribed by the judges of such court)) Saturdays, Sundays, and legal holidays designated by the legislature.

Sec. 2. Section 1, part, chapter 151, Laws of 1903 as last amended by section 1, chapter 51, Laws of 1951 and RCW 2.32.070 are each amended to read as follows:

The clerk of the supreme court and the clerks of the court of appeals shall collect the following fees for ~~((his))~~ their official services:

Upon filing his first paper or record and making an appearance ~~((in the supreme court)),~~ the appellant or petitioner shall pay to the clerk of said court a docket fee of ~~((five))~~ twenty-five dollars.

~~((Upon making his appearance in the supreme court, the respondent in any appealed case shall pay to the clerk a fee of two dollars:~~

The applicant or petitioner in any special proceeding in the supreme court, upon making his appearance, shall pay to the clerk thereof a fee of three dollars.

The respondent in a special proceeding, and each respondent appearing separately therein, at the time of his appearance shall pay to the clerk a fee of one dollar.)

For copies of opinions ~~((of the supreme court)),~~ ten cents per folio :PROVIDED, That counsel of record and criminal defendants shall be supplied a copy without charge. For certificates showing admission of an attorney to practice law ~~((one))~~ two dollars, except that there shall be no fee for an original certificate to be issued at the time of his admission.

The foregoing fees shall be all the fees connected with the appeal or special proceeding.

No fees shall be required to be advanced by the state or any municipal corporation, or any public officer prosecuting or defending

on behalf of such state or municipal corporation.

((For all services for which no fee is herein prescribed, the clerk of the supreme court shall receive the same fees as are prescribed for clerks of the superior courts for like services.))

Sec. 3. Section 29, chapter 61, Laws of 1893 as amended by section 1, chapter 86, Laws of 1941 and RCW 4.88.260 are each amended to read as follows:

((Costs shall be allowed in the supreme court, irrespective of any costs to be taxed in the case in the court below, to the prevailing party in the supreme court, on any appeal in any civil action or proceeding or any applications for any original writs, other than writs of habeas corpus as follows: The fees of the clerk of the supreme court paid by the prevailing party; the fees of the clerk of the court below for preparing, certifying and sending up the records on appeal, or any supplementary record, paid by the prevailing party; and twenty-five dollars attorneys fees, besides his necessary disbursements for the printing of briefs; and any sum actually paid or incurred by the prevailing party as stenographer's fees, not exceeding ten cents a folio, for making a transcript of the evidence or any part thereof included in the bill of exceptions or statement of facts; but when the judgment of the court below shall be affirmed in part and reversed in part, or affirmed as to some of the parties and reversed as to others, or modified, the costs shall be in the discretion of the court; and when the judgment is reversed and a new trial ordered, the court may in its discretion direct that costs of the prevailing party shall abide the result of the action. When in the opinion of the supreme court a brief of the prevailing party shall be unnecessarily long, or improper in substance, the court may in its discretion order the disallowance as costs of any part or the whole of the disbursements for printing the same.))

A party who substantially prevails in an opinion of the supreme court or court of appeals shall, when the opinion becomes final, be allowed costs for expenses incurred by him, irrespective of costs taxed in the case in the court below, as follows: The fee of the clerk of the appellate court; the fee of the clerk of the superior court for preparing, certifying and transmitting to the appellate court the transcript on appeal, or any supplementary transcript, and the statement of facts, including all exhibits; attorney fees in the amount of twenty-five dollars; the actual amount incurred in the printing of briefs required by the appellate rules, the actual amount incurred by the appellant, as stenographer's fees for preparing the statement of facts and one copy; and the actual cost of the premium on an appeal and/or supersedeas bond. When the judgment of the superior court is affirmed and remanded for trial, the awarding of costs shall abide the final determination of the cause. When the

judgment is affirmed in part, reversed in part, modified or remanded for further proceedings, all or partial costs may be awarded to either party or it may be provided that costs shall abide the final result of the further proceedings. When an opinion is filed by the supreme court finally determining a cause reviewed by the court of appeals, the supreme court shall allow costs for the above items incurred in both the supreme court and court of appeals. When an order is entered in a case, the court shall have discretion to allow costs for any or all of the items set forth above. When in the opinion of the court a brief, statement of facts, or transcript is improper in substance or unnecessarily long with regard to the issues raised on the appeal, the court, may in its discretion order the disallowance as costs of any part or the whole of the cost thereof.

Sec. 4. Section 80.04.190, chapter 14, Laws of 1961 and RCW 80.04.190 are each amended to read as follows:

The commission, any public service company or any complainant may, ((within twenty days)) after the entry of judgment in the superior court in any action of review, prosecute an appeal to the supreme court or the court of appeals of the state of Washington as in other cases. ((The appellant shall have fifty days after the entry of such judgment in which to serve and file his opening brief, and the respondent shall have thirty days after the service of such opening brief in which to answer the same. The appellant shall have twenty days after the service of respondent's brief in which to reply to the same. After the filing of such brief, or the expiration of the time for filing briefs, the cause shall be assigned for hearing at the earliest motion day of the court, or at such other time as the court shall fix, and the clerk of the court shall notify the attorneys for the respective parties of the date set for the hearing in time to permit the parties to participate in the hearing. Such appeal shall be taken by giving a notice of appeal in open court at the time of the rendition of judgment, or by the service and filing of a notice of appeal within twenty days from and after the entry of judgment.

The original transcript of the record and testimony filed in the superior court in any action to review an order of the commission, together with a transcript of the proceedings in the superior court, shall constitute the record on appeal to the supreme court.

No appeal shall be effective, when taken by a public service company or a complainant, unless a cost bond on appeal in the sum of two hundred dollars shall be filed within five days after the service of the notice of appeal.

The superior court may, in its discretion, suspend its judgment pending the hearing in the supreme court, upon the filing of

a bond, with good and sufficient surety, conditioned as provided for bonds upon actions for review, or upon such other or further terms and conditions as it may deem proper. The general laws relating to appeals to the supreme court shall, so far as applicable and not in conflict with the provisions of this title, apply to appeals taken under the provisions of this title.)

Sec. 5. Section 81.04.190, chapter 14, Laws of 1961 and RCW 81.04.190 are each amended to read as follows:

The commission, any public service company or any complainant may, ((within twenty days)) after the entry of judgment in the superior court in any action of review, prosecute an appeal to the supreme court or the court of appeals of the state of Washington as in other cases. ((The appellant shall have fifty days after the entry of such judgment in which to serve and file his opening brief, and the respondent shall have thirty days after the service of such opening brief in which to answer the same. The appellant shall have twenty days after the service of respondent's brief in which to reply to the same. After the filing of such brief, or the expiration of the time for filing briefs, the cause shall be assigned for hearing at the earliest motion day of the court, or at such other time as the court shall fix, and the clerk of the court shall notify the attorneys for the respective parties of the date set for the hearing in time to permit the parties to participate in the hearing. Such appeal shall be taken by giving a notice of appeal in open court at the time of the rendition of judgment, or by the service and filing of a notice of appeal within twenty days from and after the entry of the judgment.

The original transcript of the record and testimony filed in the superior court in any action to review an order of the commission, together with a transcript of the proceedings in the superior court, shall constitute the record on appeal to the supreme court.

No appeal shall be effective, when taken by a public service company or a complainant, unless a cost bond on appeal in the sum of two hundred dollars shall be filed within five days after the service of the notice of appeal.

The superior court may, in its discretion, suspend its judgment pending the hearing in the supreme court, upon the filing of a bond, with good and sufficient surety, conditioned as provided for bonds upon actions for review, or upon such other or further terms and conditions as it may deem proper. The general laws relating to appeals to the supreme court shall, so far as applicable and not in conflict with the provisions of this title, apply to appeals taken under the provisions of this title.)

NEW SECTION. Sec. 6. There is added to chapter 2.06 RCW a

new section to read as follows:

Court of appeal judges shall, on or before the first day of November in each year, report in writing to the justices of the supreme court, such defects and omissions in the laws as their experience may suggest.

Passed the Senate May 10, 1971.

Passed the House May 10, 1971.

Approved by the Governor May 19, 1971.

Filed in Office of Secretary of State May 20, 1971.

CHAPTER 108

[Senate Bill No. 525]

MEAT, POULTRY AND POULTRY PRODUCT INSPECTION

AN ACT Relating to meat, poultry and poultry product inspection; amending section 54, chapter 145, Laws of 1969 ex. sess. and RCW 16.49A.560; amending section 60, chapter 145, Laws of 1969 ex. sess. and RCW 16.49A.570; amending section 68, chapter 145, Laws of 1969 ex. sess. and RCW 16.49A.600; amending section 58, chapter 146, Laws of 1969 ex. sess. and RCW 16.74.610; and adding a new section to chapter 146, Laws of 1969 ex. sess. and to chapter 16.74 RCW.

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

Section 1. Section 54, chapter 145, Laws of 1969 ex. sess. and RCW 16.49A.560 are each amended to read as follows:

The regulations promulgated under the provisions of the federal meat inspection act (21 USC ((74)) 601 et seq.) and not in conflict with the provisions of this chapter are hereby adopted as regulations applicable under the provisions of this chapter (~~PROVIDED, That the director may adopt any subsequent changes promulgated under the provisions of 21 USC 74 et seq. not in conflict with the provisions of this chapter~~).

Sec. 2. Section 60, chapter 145, Laws of 1969 ex. sess. and RCW 16.49A.570 are each amended to read as follows:

((Since)) The purpose of this chapter is to promote uniformity of state legislation ((with the federal meat inspection act, the director is hereby authorized to adopt insofar as applicable, the regulations from time to time promulgated under the federal act, and to make the regulations promulgated under this chapter conform insofar as practicable with those promulgated under the federal act)) and regulations with the federal meat inspection act 21 USC 601 et. seq., and regulations adopted thereunder.

In accord with such purpose any regulations adopted under the