

((4)) (5) Any alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the state highway commission.

Sec. 4. Section 46.48.041, chapter 12, Laws of 1961 and RCW 46.61.430 are each amended to read as follows:

Notwithstanding any law to the contrary or inconsistent herewith, the Washington state highway commission shall have the power and the duty to fix and regulate the speed of vehicles within the maximum speed limit allowed by law for state highways, designated as limited access facilities, regardless of whether a portion of said highway is within the corporate limits of a city or town. No governing body or authority of such city or town or other political subdivision may have the power to pass or enforce any ordinance, rule or regulation requiring a different rate of speed and all such ordinances, rules and regulations contrary to or inconsistent therewith now in force are void and of no effect (PROVIDED, That a maximum speed above thirty-five miles per hour may be established in cities or towns only when the findings of a traffic engineering investigation by the state highway department warrants such increase in speed).

NEW SECTION. Sec. 5. This 1974 amendatory 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 immediately.

Passed the Senate February 9, 1974.  
Passed the House February 5, 1974.  
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CHAPTER 104

[ Engrossed Senate Bill No. 3116 ]

COMMERCIAL HERRING FISHING

AN ACT Relating to commercial herring fishing; adding a new section to chapter 75.28 RCW; amending section 4, chapter 173, Laws of 1973 1st ex. sess. and RCW 75.28.420; and declaring an emergency.

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

Section 1. Section 4, chapter 173, Laws of 1973 1st ex. sess. and RCW 75.28.420 are each amended to read as follows:

For the 1973 season and subsequent seasons, the department shall limit the number of licenses validated under RCW 75.28.410 to those individuals who held valid commercial fishing licenses and can

prove that they landed herring as documented by a Washington department of fisheries landing ticket for that type of fishing gear during the period (1) January 1, 1971, through April ((4)) 15, 1973, or (2) January 1, 1969, through December 31, 1970, for only those individuals who were in the armed services of the United States during the period January 1, 1971, through April 1, 1973. The validated herring license shall be required for commercial herring fishing in Puget Sound as set forth in the Washington Administrative Code under section 220-16-210. Additional licenses may be granted after the 1976 season by the department only upon a showing that the stocks of herring will not be jeopardized by the granting of such additional licenses. The individual validation to fish for herring shall be fully transferable.

NEW SECTION. Sec. 2. There is added to chapter 75.28 RCW a new section to read as follows:

On and after the effective date of this section the director of the department of fisheries shall appoint three persons broadly representative of the commercial herring fishery to function as an advisory committee to the department for the purpose of defining hardship cases as such cases relate to denials of commercial herring licenses under this chapter. The committee shall hold meetings and hearings and take such testimony as it deems necessary to carry out the duty imposed on it by this section. Upon making its final decision on the meaning of a hardship case and communicating the same in writing to the director the committee shall be dissolved. The director, upon receipt of the committee's findings, may promulgate the committee's definition of a hardship case as a rule and regulation of the department after complying with the provisions of chapter 34.04 RCW, the administrative procedure act.

NEW SECTION. Sec. 3. This 1974 amendatory 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 immediately.

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