

CHAPTER 100

[House Bill No. 178]

COOPERATIVE FOREST MANAGEMENT SERVICES ACT

AN ACT Relating to forests and forest products; and adding a new chapter to Title 76 RCW.

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

NEW SECTION. Section 1. This chapter shall be known and cited as the "cooperative forest management services act."

NEW SECTION. Sec. 2. The department of natural resources may, by agreement, make available to forest landowners, equipment, materials, and personnel for the purpose of more intensively managing or protecting the land when the department determines that such services are not otherwise available at a cost which would encourage the landowner to so avail himself, and that the use of department equipment, materials, or personnel will not jeopardize the management of state lands or other programs of the department. The department shall enter into a contractual agreement with the landowner for services rendered and shall recover the costs thereof.

NEW SECTION. Sec. 3. The department may, by agreement, extend forest management services to private lands as a condition of carrying out such services on state lands when the private lands are adjacent to or in close proximity to the state lands being treated. The agreement shall include provisions requiring the parties to pay all costs attributable to the conducting of the services on their respective lands.

NEW SECTION. Sec. 4. Costs recovered by the department as a result of extending forest management practices to private lands shall be credited to the program or programs providing the services. The department will report by December 31 of each odd numbered year up to and including 1985 to the house and senate natural resources committees the private acres treated as a result of this act.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act shall constitute a new chapter in Title 76 RCW.

Passed the House January 29, 1979.

Passed the Senate March 1, 1979.

Approved by the Governor March 23, 1979.

Filed in Office of Secretary of State March 23, 1979.

CHAPTER 101

[Substitute House Bill No. 333]

SALMON CHARTER BOATS—ANGLERS' PERMITS—LICENSE RENEWAL PERIOD

AN ACT Relating to salmon fishing; amending section 2, chapter 106, Laws of 1977 ex. sess. and RCW 75.30.020; adding new sections to chapter 106, Laws of 1977 ex. sess. and to chapter 75.30 RCW; creating a new section; repealing section 11, chapter 106, Laws of 1977 ex. sess. (uncodified); prescribing penalties; providing an effective date; and providing an expiration date.

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

NEW SECTION. Section 1. The legislature finds that wise management of the state's salmon fishery is essential to the well-being of the state. The legislature recognizes that further restrictions on salmon fishing in the charter salmon industry are necessary and that a limitation on the number of persons fishing is preferable to reductions in the fishing season or daily bag limits, or increases in size limits.

NEW SECTION. Sec. 2. In addition to the salmon charter boat license required under chapter 75.28 RCW, every owner of a salmon charter boat operating in salt water and eligible for licensing under RCW 75.30.020 or 75.30.030 shall obtain from the department, without charge, a yearly angler permit specifying the maximum number of persons, or "anglers," that may fish from the charter boat at any one time.

Failure to comply with this section constitutes a gross misdemeanor.

NEW SECTION. Sec. 3. The initial number of anglers that the department may authorize under section 2 of this act for a salmon charter boat shall be determined under the schedule established in this section.

As used in this schedule, "length of boat" means the length, in feet, of the salmon charter boat as shown on the United States Coast Guard certificate of inspection, not exceeding the size specified in the schedule. "Number of anglers" means the initial number of anglers that may be authorized by the department for a boat of the size specified.

Length of boat:	Number of anglers:	Length of boat:	Number of anglers:
31.5	8	51.5	20
32.5	9	52.5	21
34.5	10	54.5	22
36.5	11	56.5	23
37.5	12	58.5	24
39.5	13	59.5	25
41.5	14	60.5	27
42.5	15	61.5	29
44.5	16	62.5	30
46.5	17	63.5	31
47.5	18	64.5	33
49.5	19	over 64.5	34

Vessels exceeding a length specified in the schedule may be authorized the number of anglers provided for the next higher category.

Vessels not inspected by the United States Coast Guard will be issued a permit by the department to carry up to six anglers.

Those salmon charter boats licensed prior to January 1, 1978, whose hulls, such as fifty-four foot Thermodyne brand hulls, are substantially wider than conventional hull designs, are exempt from the schedule established in this section and will be issued a permit by the department to carry up to twenty-five anglers.

NEW SECTION. Sec. 4. A salmon charter boat may not carry anglers, other than members of the crew, exceeding the number of anglers specified in the angler permit issued to the boat under section 2 of this act. Members of the crew may fish from the boat only to the extent that the number of anglers specified in the angler permit exceeds the number of noncrew passengers on the boat at that time.

Failure to comply with this section constitutes a gross misdemeanor.

NEW SECTION. Sec. 5. (1) The total aggregate number of anglers authorized by the department shall be fixed and may not exceed the total number initially authorized for eligible boats under section 2 of this act.

(2) Angler permits issued under section 2 of this act are fully transferable. A charter boat possessing an angler permit may transfer all or a portion of the permit to another charter boat. The holder of such a permit, after complying with subsection (3) of this section, may use, and renew, the permit, even though the use of the permit will allow the charter boat to exceed the initial number of anglers established in section 3 of this act.

(3) When an angler permit is transferred, the department shall be notified, and the department shall issue a new angler permit certificate. If the original permit holder retains a portion of the permit, the department shall issue a new angler permit certificate reflecting the decrease in authorized angler capacity. The department shall collect a fee of ten dollars for each certificate issued under this subsection.

NEW SECTION. Sec. 6. This chapter, and any subsequent amendments, shall expire on December 31, 1981.

Sec. 7. Section 2, chapter 106, Laws of 1977 ex. sess. and RCW 75.30-.020 are each amended to read as follows:

For the purposes of this chapter, the term "charter boat" shall refer only to those charter boats from which salmon are taken. On and after May 28, 1977, the department shall initiate a moratorium on the issuance of charter boat licenses by issuing such licenses only to those boats whose owners can prove by means of good and sufficient documentary evidence that the boat was licensed pursuant to RCW 75.28.095 between January 1, 1974, and January 1, 1977. No charter boat shall be entitled to more than one charter boat license.

Such boats shall be entitled to receive and renew the charter boat license for each year during the period from May 28, 1977 through

December 31, ((+1980)) 1981. A charter boat license for which no application is made to the department or which is not renewed in any year automatically expires and shall not be renewed further.

Nothing herein shall be construed to be contrary to the provisions of Title 75 RCW or any rule promulgated thereunder. All such charter boat licenses shall be transferable.

NEW SECTION. Sec. 8. Sections 2 through 6 of this act are added to chapter 106, Laws of 1977 ex. sess. and to chapter 75.30 RCW.

NEW SECTION. Sec. 9. Section 11, chapter 106, Laws of 1977 ex. sess. (uncodified) is repealed.

NEW SECTION. Sec. 10. This act shall take effect on January 1, 1980.

Passed the House February 22, 1979.

Passed the Senate March 2, 1979.

Approved by the Governor March 23, 1979.

Filed in Office of Secretary of State March 23, 1979.

CHAPTER 102

[House Bill No. 279]

COURT OF APPEALS—APPELLATE JURISDICTION—JUSTICE COURTS— JURISDICTION LIMITS

AN ACT Relating to courts; amending section 3, chapter 221, Laws of 1969 ex. sess. and RCW 2.06.030; section 23, page 226, Laws of 1854 as last amended by section 1, chapter 96, Laws of 1965 and RCW 3.20.020; section 113, chapter 299, Laws of 1961 as amended by section 1, chapter 95, Laws of 1965 and RCW 3.66.020; section 1, chapter 187, Laws of 1919 as last amended by section 1, chapter 128, Laws of 1973 and RCW 12.40.010; creating new sections; declaring an emergency; and making an effective date.

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

Section 1. Section 3, chapter 221, Laws of 1969 ex. sess. and RCW 2.06.030 are each amended to read as follows:

The administration and procedures of the court shall be as provided by rules of the supreme court. The court shall be vested with all power and authority, not inconsistent with said rules, necessary to carry into complete execution all of its judgments, decrees and determinations in all matters within its jurisdiction, according to the rules and principles of the common law and the Constitution and laws of this state.

For the prompt and orderly administration of justice, the supreme court may (1) transfer to the appropriate division of the court for decision a case or appeal pending before the supreme court; or (2) transfer to the supreme court for decision a case or appeal pending in a division of the court.

Subject to the provisions of this section, the court shall have exclusive appellate jurisdiction in all cases except:

(a) cases of quo warranto, prohibition, injunction or mandamus directed to state officials;