

CHAPTER 72.

[Senate Bill No. 264.]

FOOD FISH AND SHELLFISH—TEST FISHING OPERATIONS.

AN ACT relating to food fish and shellfish; amending section 75.08.230, chapter 12, Laws of 1955 and RCW 75.08.230; and amending section 75.12.130, chapter 12, Laws of 1955 and RCW 75.12.130.

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

RCW 75.12.130 amended.

SECTION 1. Section 75.12.130, chapter 12, Laws of 1955 and RCW 75.12.130 are each amended to read as follows:

Food fish and shellfish. Director authorized to take fish or shellfish—Sell same.

The director may, for the purpose of carrying out his duties, take or remove or cause to be taken or removed in any manner, at any time, any fish or shellfish of any kind, character, or description from any waters or beaches of the state.

The director is authorized to sell food fish or shellfish caught or taken during test fishing operations conducted by the department for the purpose of food fish or shellfish resource evaluation studies.

RCW 75.08.230 amended.

SEC. 2. Section 75.08.230, chapter 12, Laws of 1955 and RCW 75.08.230 are each amended to read as follows:

Disposition of moneys collected.

All license fees, taxes, fines, and moneys realized from the sale of property seized or confiscated under the provisions of this title, and all bail moneys forfeited under prosecutions instituted under the provisions of this title, and all moneys realized from the sale of any of the property, real or personal, heretofore or hereafter acquired for the state and under the control of the department, except such moneys as are realized from the sale of food fish or shellfish caught or taken during test fishing operations conducted by the department for the purpose of food fish or shellfish resource evaluation studies, all mon-

eyes collected for damages and injuries to any such property, and all moneys collected for rental or concessions from such property, shall be paid into the state treasury general fund: *Provided*, That all such moneys as are realized from test fishing operations as aforesaid, shall be transmitted to the state treasurer who shall act as custodian, and the treasurer shall place such moneys in a special account known as receipts in excess of budget estimates, to be allotted by the governor, upon the request of the Director of Fisheries, for the purpose of defraying the costs of such test fishing: *Provided further*, That salmon taken in test fishing operations shall not be sold except during a season open to commercial fishing in the district that test fishing is being conducted: *Provided further*, That fifty percent of all money received as fines together with all of the costs shall be retained by the county in which the fine was collected.

All fines collected shall be remitted monthly by the justice of the peace or by the clerk of the court collecting the same to the county treasurer of the county in which the same shall be collected, and the county treasurer shall at least once a month remit fifty percent of the same to the state treasurer and at the same time shall furnish a statement to the director showing the amount of fines so remitted and from whom collected: *Provided*, That in instances wherein any portion of a fine assessed by a court is suspended, deferred, or otherwise not collected, the entire amount collected shall be remitted by the county treasurer to the state treasurer and shall be credited to the general fund.

Passed the Senate March 22, 1965.

Passed the House March 25, 1965.

Approved by the Governor April 2, 1965.