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SENATE BILL 5106

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State of Washington                      53rd Legislature                      1993 Regular Session

By Senators Owen, Sutherland, Oke, Snyder and L. Smith

Read first time 01/13/93. Referred to Committee on Natural Resources.

1            AN ACT Relating to fish and wildlife enhancement; and amending RCW  
2 75.08.230 and 79.24.580.

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

4            **Sec. 1.** RCW 75.08.230 and 1989 c 176 s 4 are each amended to read  
5 as follows:

6            (1) Except as provided in this section, state and county officers  
7 receiving the following moneys shall deposit them in the state general  
8 fund:

9            (a) The sale of licenses required under this title;

10           (b) The sale of property seized or confiscated under this title;

11           (c) Fines and forfeitures collected under this title;

12           (d) The sale of real or personal property held for department  
13 purposes;

14           (e) Rentals or concessions of the department;

15           (f) Moneys received for damages to food fish, shellfish or  
16 department property; and

17           (g) Gifts.

18           (2) The director shall make weekly remittances to the state  
19 treasurer of moneys collected by the department.

1 (3) All fines and forfeitures collected or assessed by a district  
2 court for a violation of this title or rule of the director shall be  
3 remitted as provided in chapter 3.62 RCW.

4 (4) Proceeds from the sale of food fish or shellfish taken in test  
5 fishing conducted by the department, to the extent that these proceeds  
6 exceed the estimates in the budget approved by the legislature, may be  
7 allocated as unanticipated receipts under RCW 43.79.270 to reimburse  
8 the department for unanticipated costs for test fishing operations in  
9 excess of the allowance in the budget approved by the legislature.

10 (5) Proceeds from the sale of salmon and salmon eggs by the  
11 department from hatchery operations partially or wholly financed by  
12 sources other than state general revenues, to the extent these proceeds  
13 exceed estimates in the budget approved by the legislature, may be  
14 allocated as unanticipated receipts under RCW 43.79.270. Allocations  
15 under this subsection shall be made only for hatchery operations  
16 partially or wholly financed by sources other than state general  
17 revenues or for purposes of processing human consumable salmon for  
18 disposal.

19 (6) Proceeds from the sale of salmon and salmon eggs by the  
20 department, except as specified by subsection (5) of this section,  
21 shall be allocated to the aquatic lands enhancement account established  
22 under RCW 79.24.580. These proceeds shall be used solely for the  
23 volunteer cooperative fish and wildlife enhancement program under  
24 chapter 75.52 RCW.

25 (7) Moneys received by the director under RCW 75.08.045, to the  
26 extent these moneys exceed estimates in the budget approved by the  
27 legislature, may be allocated as unanticipated receipts under RCW  
28 43.79.270. Allocations under this subsection shall be made only for  
29 the specific purpose for which the moneys were received, unless the  
30 moneys were received in settlement of a claim for damages to food fish  
31 or shellfish, in which case the moneys may be expended for the  
32 conservation of these resources.

33 ~~((+7))~~ (8) Proceeds from the sale of herring spawn on kelp permits  
34 by the department, to the extent those proceeds exceed estimates in the  
35 budget approved by the legislature, may be allocated as unanticipated  
36 receipts under RCW 43.79.270. Allocations under this subsection shall  
37 be made only for herring management, enhancement, and enforcement.

1       **Sec. 2.** RCW 79.24.580 and 1987 c 350 s 1 are each amended to read  
2 as follows:

3       After deduction for management costs as provided in RCW 79.64.040  
4 and payments to towns under RCW 79.92.110(2), all moneys received by  
5 the state from the sale or lease of state-owned aquatic lands and from  
6 the sale of valuable material from state-owned aquatic lands shall be  
7 distributed as follows: (1) To the state building bond redemption fund  
8 such amounts necessary to retire bonds issued pursuant to RCW 79.24.630  
9 through 79.24.647 prior to January 1, 1987, and for which tide and  
10 harbor area revenues have been pledged, and (2) all moneys not  
11 deposited for the purposes of subsection (1) of this section shall be  
12 deposited in the aquatic lands enhancement account which is hereby  
13 created in the state treasury. After appropriation, these funds shall  
14 be used solely for aquatic lands enhancement projects; for the  
15 purchase, improvement, or protection of aquatic lands for public  
16 purposes; for providing and improving access to such lands; and for  
17 volunteer cooperative fish and game projects; however proceeds  
18 allocated to the aquatic lands enhancement account from RCW  
19 75.08.230(6) shall be used solely for the volunteer cooperative fish  
20 and wildlife enhancement program pursuant to chapter 75.52 RCW.

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