
SENATE BILL 6343

State of Washington

55th Legislature

1998 Regular Session

By Senators Snyder, Swecker, Spanel and Rasmussen

Read first time 01/15/98. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to the prevention of wastage of viable salmon and
2 trout eggs; adding a new section to chapter 75.50 RCW; and prescribing
3 penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 75.50 RCW
6 to read as follows:

7 The department shall not kill, waste, discard, bury, or otherwise
8 cause salmon or trout eggs, alevins, fry, fingerlings, smolts,
9 catchables, jacks, adults, or any other life stages of a trout or
10 salmon to be utilized in a manner that will not result in restoring or
11 enhancing the salmon or trout resource unless the following conditions
12 are met:

13 (1) A serious communicable fish disease has been diagnosed in the
14 relevant fish population and a recognized state/tribal fish health
15 committee has unanimously agreed that destruction of the fish
16 population is warranted;

17 (2) The director determines that individual fish in question are in
18 a terminal condition; or

1 (3) The director provides a written explanation, on a case-by-case
2 basis, of the situation requiring killing, wasting, discarding,
3 burying, or conditions otherwise causing the fish not to be suitable
4 for fish enhancement or restoration purposes, to the fish and wildlife
5 commission for its consideration for approval. The written explanation
6 must be jointly approved by the fish and wildlife commission and those
7 tribal comanagers who would be affected by the proposed action. The
8 commission shall allow ample opportunity to the public to comment upon
9 the proposed action prior to final determination.

10 The fish and wildlife commission shall notify the appropriate
11 senate and house of representatives legislative committees and the
12 governor's office of any proposed action to kill, waste, discard, bury,
13 or otherwise cause salmon or trout eggs, alevins, fry, fingerlings,
14 smolts, catchables, jacks, or adults to be used in a manner that does
15 not result in resource enhancement or restoration. This notification
16 must occur at least one month prior to the proposed action.

17 It is unlawful for any department employee, any person involved in
18 a department-authorized cooperative project, or any person involved in
19 a regional fisheries enhancement group, to cause the killing, wasting,
20 discarding, burying, or otherwise cause any life-form of salmon or
21 trout to be utilized in a manner that does not result in fish resource
22 enhancement or restoration. A violation of this section is a gross
23 misdemeanor.

24 This section does not apply to fisheries authorized by the fish and
25 wildlife commission.

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