

CERTIFICATION OF ENROLLMENT  
**SUBSTITUTE HOUSE BILL 1416**

Chapter 253, Laws of 1991

52nd Legislature  
1991 Regular Session

GAME FISH MITIGATION--PURCHASE OF FISH FROM AQUATIC FARMERS

EFFECTIVE DATE: 7/28/91

Passed by the House March 8, 1991  
Yeas 96 Nays 0

JOE KING  
**Speaker of the  
House of Representatives**

Passed by the Senate April 12, 1991  
Yeas 46 Nays 0

JOEL PRITCHARD  
**President of the Senate**

Approved May 17, 1991

BOOTH GARDNER  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1416** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
**Chief Clerk**

FILED

May 17, 1991 - 10:30 a.m.

Secretary of State  
State of Washington



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**SUBSTITUTE HOUSE BILL 1416**

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AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** House Committee on Fisheries & Wildlife (originally sponsored by Representatives R. King, Fuhrman, Hochstatter, Padden, Basich, Morris, Dorn, R. Meyers and Winsley).

Read first time February 19, 1991.

1       AN ACT Relating to game fish mitigation; adding new sections to  
2 chapter 43.131 RCW; and adding a new chapter to Title 77 RCW.

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

4       NEW SECTION.   **Sec. 1.**       The legislature declares that the public  
5 and private propagation, production, protection, and enhancement of  
6 fish is in the public interest.

7       NEW SECTION.   **Sec. 2.**       Unless the context clearly requires  
8 otherwise, the definitions in this section apply throughout this  
9 chapter.

10       (1) "Department" means the Washington department of wildlife.

11       (2) "Contract" means an agreement setting at a minimum, price,  
12 quantity of fish to be delivered, time of delivery, and fish health  
13 requirements.

1 (3) "Fish health requirements" means those site specific fish  
2 health and genetic requirements actually used by the department of  
3 wildlife in fish stocking.

4 (4) "Aquatic farmer" means a private sector person who commercially  
5 farms and manages private sector cultured aquatic products on the  
6 person's own land or on land in which the person has a present right of  
7 possession.

8 (5) "Person" means a natural person, corporation, trust, or other  
9 legal entity.

10 NEW SECTION. **Sec. 3.** If the department requires, pursuant to  
11 its authority relative to environmental permits or licenses, that  
12 resident hatchery game fish be stocked by the permittee or licensee for  
13 mitigation of environmental damage, the department shall specify the  
14 pounds or numbers, species, stock, and/or race of resident game fish  
15 that are to be provided. The department shall offer the permittee or  
16 licensee the option of purchasing under contract from aquatic farmers  
17 in Washington, those game fish, unless the fish specified by the  
18 department are not available from Washington growers.

19 NEW SECTION. **Sec. 4.** Any agency of state or federal  
20 government, political subdivision of the state, private or public  
21 utility company, corporation, or sports group, or any purchaser of fish  
22 under section 3 of this act may purchase resident game fish from an  
23 aquatic farmer for stocking purposes if permit requirements of this  
24 title and the department have been met.

25 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.131 RCW  
26 to read as follows:

1       The game fish mitigation program created in sections 1 through 4 of  
2 this act shall be terminated on June 30, 1994, as provided in section  
3 6 of this act.

4       NEW SECTION.   **Sec. 6.**   A new section is added to chapter 43.131 RCW  
5 to read as follows:

6       The following acts, or parts of acts, as now existing or hereafter  
7 amended, are each repealed, effective June 30, 1995:

- 8       (1) RCW 77.---.--- and 1991 c ... s ... (section 1 of this act);
- 9       (2) RCW 77.---.--- and 1991 c ... s ... (section 2 of this act);
- 10       (3) RCW 77.---.--- and 1991 c ... s ... (section 3 of this act); and
- 11       (4) RCW 77.---.--- and 1991 c ... s ... (section 4 of this act).

12       NEW SECTION.   **Sec. 7.**       Sections 1 through 4 of this act shall  
13 constitute a new chapter in Title 77 RCW.

Passed the House March 8, 1991.  
Passed the Senate April 12, 1991.  
Approved by the Governor May 17, 1991.  
Filed in Office of Secretary of State May 17, 1991.