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SENATE BILL 5302

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State of Washington

53rd Legislature

1993 Regular Session

By Senators Owen, Hargrove and Oke

Read first time 01/22/93. Referred to Committee on Natural Resources.

1 AN ACT Relating to food fish and shellfish; and amending RCW  
2 75.08.080.

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

4 **Sec. 1.** RCW 75.08.080 and 1985 c 457 s 17 are each amended to read  
5 as follows:

6 (1) The director may adopt, amend, or repeal rules as follows:

7 (a) Specifying the times when the taking of food fish or shellfish  
8 is lawful or unlawful.

9 (b) Specifying the areas and waters in which the taking and  
10 possession of food fish or shellfish is lawful or unlawful.

11 (c) Specifying and defining the gear, appliances, or other  
12 equipment and methods that may be used to take food fish or shellfish,  
13 and specifying the times, places, and manner in which the equipment may  
14 be used or possessed.

15 (d) Regulating the possession, disposal, landing, and sale of food  
16 fish or shellfish within the state, whether acquired within or without  
17 the state.

18 (e) Regulating the prevention and suppression of diseases and pests  
19 affecting food fish or shellfish.

1 (f) Regulating the size, sex, species, and quantities of food fish  
2 or shellfish that may be taken, possessed, sold, or disposed of.

3 (g) Specifying the statistical and biological reports required from  
4 fishermen, dealers, boathouses, or processors of food fish or  
5 shellfish.

6 (h) Classifying species of marine and freshwater life as food fish  
7 or shellfish.

8 (i) Classifying the species of food fish and shellfish that may be  
9 used for purposes other than human consumption.

10 (j) Other rules necessary to carry out this title and the purposes  
11 and duties of the department.

12 (2) Subsections (1)(a), (b), (c), (d), and (f) of this section do  
13 not apply to private tideland owners and lessees and the immediate  
14 family members of the owners or lessees of state tidelands, when they  
15 take or possess oysters, clams, cockles, borers, or mussels, excluding  
16 razor clams, produced on their own private tidelands or their leased  
17 state tidelands for personal use.

18 "Immediate family member" for the purposes of this section means a  
19 spouse, brother, sister, grandparent, parent, child, or grandchild.

20 (3) Except for subsection (1)(g) of this section, this section does  
21 not apply to private sector cultured aquatic products as defined in RCW  
22 15.85.020. Subsection (1)(g) of this section does apply to such  
23 products.

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