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**SUBSTITUTE HOUSE BILL 2626**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Hatfield, Pearson, Blake and Sump; by request of Department of Fish and Wildlife)

READ FIRST TIME 02/09/04.

1       AN ACT Relating to the department of fish and wildlife's authority  
2 to allocate certain moneys; amending RCW 77.12.177; and adding a new  
3 section to chapter 77.12 RCW.

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

5       **Sec. 1.** RCW 77.12.177 and 2001 c 253 s 16 are each amended to read  
6 as follows:

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

10       (a) The sale of commercial licenses required under this title,  
11 except for licenses issued under RCW 77.65.490; and

12       (b) Moneys received for damages to food fish or shellfish.

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

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

18       (4) Proceeds from the sale of food fish or shellfish taken in test  
19 fishing conducted by the department(~~(, to the extent that these~~

1 ~~proceeds exceed the estimates in the budget approved by the~~  
2 ~~legislature, may be allocated as unanticipated receipts under RCW~~  
3 ~~43.79.270)) shall be deposited in the fish management and research~~  
4 ~~account created in section 2 of this act to reimburse the department~~  
5 ~~for unanticipated costs for test fishing operations ((in excess of the~~  
6 ~~allowance in the budget approved by the legislature)).~~

7 (5) Proceeds from the sale of salmon carcasses and salmon eggs from  
8 state general funded hatcheries by the department of general  
9 administration shall be deposited in the regional fisheries enhancement  
10 group account established in RCW 77.95.090.

11 (6) Moneys received by the commission under RCW 77.12.039, to the  
12 extent these moneys exceed estimates in the budget approved by the  
13 legislature, may be allocated as unanticipated receipts under RCW  
14 43.79.270. Allocations under this subsection shall be made only for  
15 the specific purpose for which the moneys were received, unless the  
16 moneys were received in settlement of a claim for damages to food fish  
17 or shellfish, in which case the moneys may be expended for the  
18 conservation of these resources.

19 (7) Proceeds from the sale of herring spawn on kelp fishery  
20 licenses by the department(~~(, to the extent those proceeds exceed~~  
21 ~~estimates in the budget approved by the legislature, may be allocated~~  
22 ~~as unanticipated receipts under RCW 43.79.270)) shall be deposited in~~  
23 ~~the fish management and research account created in section 2 of this~~  
24 ~~act. Allocations under this subsection shall be made only for herring~~  
25 ~~management, enhancement, and enforcement.~~

26 (8) Moneys received by the department from the forfeiture of  
27 coastal groundfish in excess of vessel trip or cumulative limits shall  
28 be deposited in the fish management and research account created in  
29 section 2 of this act. Allocations under this subsection shall be made  
30 only for coastal groundfish management and research.

31 NEW SECTION. Sec. 2. A new section is added to chapter 77.12 RCW  
32 to read as follows:

33 The fish management and research account is created in the custody  
34 of the state treasurer. Revenues to the account are received by the  
35 department under RCW 77.12.177 (4), (7), and (8). Expenditures from  
36 this account may be made only for purposes for which the moneys were

1 received. Only the director of the department or the director's  
2 designee has authority to make expenditures from the account, and no  
3 appropriation is required for expenditure.

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