

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2045

Chapter 227, Laws of 2024

68th Legislature
2024 Regular Session

ADOPT-A-FISH PASSAGE PROGRAM

EFFECTIVE DATE: June 6, 2024

Passed by the House March 5, 2024
Yeas 95 Nays 1

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate February 28,
2024
Yeas 47 Nays 0

DENNY HECK

President of the Senate

Approved March 25, 2024 1:42 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2045** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 26, 2024

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2045

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By House Agriculture and Natural Resources (originally sponsored by Representatives Waters, Chapman, Timmons, Harris, and Reeves)

READ FIRST TIME 01/26/24.

1 AN ACT Relating to the creation of an adopt a fish barrier
2 program; amending RCW 47.40.105; adding a new section to chapter
3 77.95 RCW; adding a new section to chapter 47.40 RCW; and creating a
4 new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that fish barriers
7 are a serious impediment to salmon and steelhead recovery. The
8 legislature further finds that the state has limited financial
9 resources to address its many challenges and that community members
10 and businesses may want to offer their help in partnership with the
11 state for the removal of fish barriers that are on lands owned by
12 state or local governments. The legislature also finds that it is
13 desirable to coordinate any such private donations with existing fish
14 barrier removal projects on lands owned by state or local
15 governments.

16 Therefore, the legislature intends to facilitate the removal of
17 fish barriers on lands owned by state or local governments by
18 creating the adopt a fish passage program through which state or
19 local governments may receive such donations and to acknowledge
20 project donors through appropriate public signage.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.95

2 RCW to read as follows:

3 (1) The Washington state department of transportation and every
4 county, city, and town may accept any money or property donated,
5 devised, or bequeathed to it that is donated for the purpose of fish
6 barrier removal. The Washington state department of transportation
7 and local governments may determine the value of any property
8 donated, devised, or bequeathed for the purpose of recognizing fish
9 barrier removal donations in this section.

10 (2) Subject to subsection (3) of this section, and upon
11 completion of the related project, the Washington state department of
12 transportation, counties, cities, and towns receiving donations for
13 removing a fish barrier must install a clearly marked sign that
14 acknowledges the individual donors and that is consistent with the
15 requirements of RCW 47.40.105.

16 (3) Signs installed under subsection (2) of this section must be
17 of a uniform design approved by the recreation and conservation
18 office and may only include the words "adopt-a-fish passage," the
19 names of project donors, and the species of fish affected by the
20 project. Signage is also subject to the following limitations:

21 (a) The donor's name may not be displayed more predominantly than
22 the remainder of the sign message.

23 (b) Trademarks or business logos may be displayed.

24 (c) To the extent that the Washington state department of
25 transportation and local governments determine that the number of
26 donors for individual projects would interfere with the signage
27 requirements of subsection (2) of this section or the requirements of
28 RCW 47.40.105, the Washington state department of transportation and
29 local governments may determine the number of donors listed on signs
30 but must endeavor to recognize the donors that provide the largest
31 donations.

32 (d) The Washington state department of transportation and local
33 governments receiving private donations under this section must only
34 install signage pursuant to this section for individual donations
35 that are equal in value to at least \$10,000.

36 (e) Notwithstanding other provisions of this subsection, a donor
37 is not eligible to have their name displayed on the sign if the
38 applicant's name: (i) Endorses or opposes a particular candidate for
39 public office; (ii) advocates a position on a specific political
40 issue, initiative, referendum, or piece of legislation; (iii)

1 includes a reference to a political party; or (iv) includes a
2 reference to anything that may be considered or construed to be
3 obscene or offensive to the general public.

4 (4) To the extent feasible and with the goal of expediting fish
5 barrier removals, the Washington state department of transportation,
6 counties, cities, and towns receiving donations under this section
7 must coordinate donations with any grant applications made for state
8 grant funding for fish barrier removal pursuant to RCW 77.95.170. The
9 recreation and conservation office must publish and maintain a list
10 of fish barrier removal projects that are suited to receiving private
11 donations pursuant to this section. Donations received under this
12 section are eligible for use as match for other funding sources,
13 including state and federal grants.

14 (5) Upon completion of a project funded with private donations
15 pursuant to this section, the Washington state department of
16 transportation or local government that owns the completed project
17 must notify the recreation and conservation office. Upon receiving
18 such a notification, the recreation and conservation office must
19 gather information regarding the project sponsors, location, fish
20 species affected, and the amounts of individual donations that
21 supported the project. The recreation and conservation office must
22 publish and maintain this information with the project list under
23 subsection (4) of this section.

24 (6) For each individual donation equal to at least \$100,000 in
25 value pursuant to this section, the recreation and conservation
26 office must provide to the donor a recognition plaque that meets the
27 following criteria: (a) The plaque must be signed by the governor;
28 and (b) the plaque must include the name of the donor, the words
29 "adopt-a-fish passage program," the location and name of the project
30 funded, the amount and year of the donation, and the fish species
31 affected.

32 **Sec. 3.** RCW 47.40.105 and 1990 c 258 s 3 are each amended to
33 read as follows:

34 Local government legislative authorities may enact local "adopt-
35 a-highway sign" and "adopt-a-fish passage" programs which are not
36 inconsistent with state or federal law.

37 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.40
38 RCW to read as follows:

1 The department may participate in an "adopt-a-fish passage"
2 program under section 2 of this act.

Passed by the House March 5, 2024.

Passed by the Senate February 28, 2024.

Approved by the Governor March 25, 2024.

Filed in Office of Secretary of State March 26, 2024.

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