
SUBSTITUTE HOUSE BILL 1455

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Fisheries & Wildlife (originally sponsored by Representatives Haugen, Wilson, Zellinsky, R. King, Spanel, R. Meyers, Leonard and Orr).

Read first time March 5, 1991.

1 AN ACT Relating to seaweed; adding new sections to chapter 79.68
2 RCW; creating a new section; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the plant
5 resources of marine aquatic ecosystems have inherent value and provide
6 essential habitat. These resources are also becoming increasingly
7 valuable as economic commodities. The legislature further finds that
8 the regulation of harvest of these resources on state-owned aquatic
9 lands is currently inadequate to afford necessary protection.

10 NEW SECTION. **Sec. 2.** Unless the context clearly requires
11 otherwise, the definitions in this section apply throughout sections 3
12 through 6 of this act.

13 (1) "Marine aquatic plants" means marine plant species that are
14 dependent upon the marine aquatic or tidal environment, and exist in

1 either an attached or free-floating state. Marine aquatic plants
2 include seaweed of the classes Chlorophyta, Phaeophyta, and Rhodophyta.

3 (2) "Department" means the department of natural resources.

4 NEW SECTION. **Sec. 3.** The department shall adopt rules to
5 regulate the taking of marine aquatic plants on state-owned aquatic
6 lands. The rules shall be consistent with the preservation of marine
7 aquatic plants as habitat, and shall provide for the following:

8 (1) Classifying marine aquatic plants;

9 (2) Specifying the time when the harvest of marine aquatic plants
10 is unlawful;

11 (3) Specifying the areas in which the harvest of marine aquatic
12 plants is lawful or unlawful;

13 (4) Regulating the quantities of marine aquatic plants, expressed
14 in terms of daily bag or possession limits, that may be taken,
15 possessed, sold, or disposed of;

16 (5) Specifying the statistical and biological reports required from
17 harvesters, dealers, or processors of marine aquatic plants;

18 (6) Administering licenses to harvest marine aquatic plants;

19 (7) Specifying the annual fees for a marine aquatic plant license;
20 and

21 (8) Requiring that a bill of sale be obtained by licensees under
22 this section for the removal of valuable materials under RCW 79.90.060.

23 The quantities of marine aquatic plants that may be harvested for
24 personal use shall not exceed negligible values. Plants harvested for
25 personal use shall not be sold.

26 NEW SECTION. **Sec. 4.** All law enforcement officers, including
27 fisheries patrol officers, may enforce sections 2 through 6 of this
28 act. The department shall actively seek enforcement assistance from

1 law enforcement officers to enforce sections 2 through 6 of this act.
2 The department shall clearly identify to the public the appropriate law
3 enforcement authorities for enforcement of sections 2 through 6 of this
4 act.

5 NEW SECTION. **Sec. 5.** A violation of rules adopted under
6 section 3 of this act that pertain to harvest of marine aquatic plants
7 for personal use shall be an infraction under chapter 7.84 RCW. A
8 violation of rules adopted under section 3 of this act that pertain to
9 harvest of marine aquatic plants for commercial use shall be a gross
10 misdemeanor.

11 NEW SECTION. **Sec. 6.** The department shall educate the public
12 about the rules adopted under section 3 of this act.

13 NEW SECTION. **Sec. 7.** Sections 2 through 6 of this act are
14 each added to chapter 79.68 RCW.