
SENATE BILL 5412

State of Washington

61st Legislature

2009 Regular Session

By Senators Eide, McDermott, Honeyford, Keiser, Jacobsen, and Shin

Read first time 01/21/09. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to controlling saltwater algae; amending RCW
2 88.02.050; adding a new section to chapter 43.21A RCW; and providing an
3 expiration date.

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

5 **Sec. 1.** RCW 88.02.050 and 2007 c 342 s 5 are each amended to read
6 as follows:

7 (1) Application for a vessel registration shall be made to the
8 department or its authorized agent in the manner and upon forms
9 prescribed by the department. The application shall state the name and
10 address of each owner of the vessel and such other information as may
11 be required by the department, shall be signed by at least one owner,
12 and shall be accompanied by a vessel registration fee of ten dollars
13 and fifty cents per year and the excise tax imposed under chapter 82.49
14 RCW.

15 (2) Five additional dollars must be collected annually from every
16 vessel registration application. These moneys must be distributed in
17 the following manner:

18 (a) Two dollars must be deposited into the derelict vessel removal
19 account established in RCW 79.100.100. If the department of natural

1 resources indicates that the balance of the derelict vessel removal
2 account, not including any transfer or appropriation of funds into the
3 account or funds deposited into the account collected under RCW
4 88.02.270, reaches one million dollars as of March 1st of any year, the
5 collection of the two-dollar fee must be suspended for the following
6 fiscal year.

7 (b) One dollar and fifty cents must be deposited in the aquatic
8 invasive species prevention account created in RCW 77.12.879.

9 (c) (~~One dollar~~) Seventy-five cents must be deposited into the
10 freshwater aquatic algae control account created in RCW 43.21A.667.

11 (d) Fifty cents must be deposited into the aquatic invasive species
12 enforcement account created in RCW 43.43.400.

13 (e) Twenty-five cents must be deposited in the saltwater algae
14 control account created in section 2 of this act.

15 (3) Any fees required for licensing agents under RCW 46.01.140
16 shall be in addition to the ten dollar and fifty cent annual
17 registration fee and the five-dollar fee created in subsection (2) of
18 this section.

19 (4) Upon receipt of the application and the registration fee, the
20 department shall assign a registration number and issue a decal for
21 each vessel. The registration number and decal shall be issued and
22 affixed to the vessel in a manner prescribed by the department
23 consistent with the standard numbering system for vessels set forth in
24 volume 33, part 174, of the code of federal regulations. A valid decal
25 affixed as prescribed shall indicate compliance with the annual
26 registration requirements of this chapter.

27 (5) The vessel registrations and decals are valid for a period of
28 one year, except that the director of licensing may extend or diminish
29 vessel registration periods, and the decals (~~therefor~~), for the
30 purpose of staggered renewal periods. For registration periods of more
31 or less than one year, the department may collect prorated annual
32 registration fees and excise taxes based upon the number of months in
33 the registration period. Vessel registrations are renewable every year
34 in a manner prescribed by the department upon payment of the vessel
35 registration fee, excise tax, and the derelict vessel fee. Upon
36 renewing a vessel registration, the department shall issue a new decal
37 to be affixed as prescribed by the department.

1 (6) When the department issues either a notice to renew a vessel
2 registration or a decal for a new or renewed vessel registration, it
3 shall also provide information on the location of marine oil recycling
4 tanks and sewage holding tank pumping stations. This information will
5 be provided to the department by the state parks and recreation
6 commission in a form ready for distribution. The form will be
7 developed and prepared by the state parks and recreation commission
8 with the cooperation of the department of ecology. The department, the
9 state parks and recreation commission, and the department of ecology
10 shall enter into a memorandum of agreement to implement this process.

11 (7) A person acquiring a vessel from a dealer or a vessel already
12 validly registered under this chapter shall, within fifteen days of the
13 acquisition or purchase of the vessel, apply to the department or its
14 authorized agent for transfer of the vessel registration, and the
15 application shall be accompanied by a transfer fee of one dollar.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21A RCW
17 to read as follows:

18 (1) The saltwater algae control account is created in the state
19 treasury. All receipts designated for deposit to the account in RCW
20 88.02.050 must be deposited in the account. Moneys in the account may
21 be spent only after appropriation. Expenditures from the account may
22 only be used as provided in this section.

23 (2) Funds in the saltwater algae control account may be
24 appropriated to the department to develop a saltwater aquatic algae
25 control grant program. Funds must be expended as grants to cities,
26 counties, tribes, special purpose districts, and state agencies for
27 capital and operational expenses used to manage and study excessive
28 saltwater algae with an emphasis on the periodic accumulation of sea
29 lettuce on Puget Sound beaches.

30 (3)(a) Grant awards may be made both for proactive investments in
31 saltwater algae research and control and for rapid response to emerging
32 incidents and immediate restoration following algal incidents. Grants
33 may either be awarded prospectively when intended for proactive
34 investments or as reimbursement for rapid response or immediate
35 restoration.

36 (b) The department shall allow potential grantees to contact the
37 department prior to investing in rapid response or immediate

1 restoration actions to ensure that the saltwater algae control account
2 has adequate funds to reimburse the rapid response and immediate
3 restoration actions. To facilitate both timely reimbursement and the
4 department's ability to provide assurances that reimbursement funding
5 can be provided, the department shall develop a process that allows
6 potential grantees to be screened and evaluated prior to a saltwater
7 algae incident.

8 (4) When appropriate, grant awards must be prioritized to benefit:

9 (a) Areas of marine waters with documented significant sea lettuce
10 growth;

11 (b) Potential grantees capable and willing to provide matching
12 funds either directly or through a third party; and

13 (c) Potential grantees that are Puget Sound partners as that term
14 is defined in RCW 90.71.010. However, the department shall give
15 preference only to Puget Sound partners in comparison to other entities
16 that are eligible to be included in the definition of Puget Sound
17 partner. Entities that are not eligible to be a Puget Sound partner
18 due to geographic location, composition, exclusion from the scope of
19 the Puget Sound action agenda developed by the Puget Sound partnership
20 under RCW 90.71.310, or for any other reason may not be given less
21 preferential treatment than Puget Sound partners.

22 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act expire June 30,
23 2012.

--- END ---