

HOUSE BILL REPORT

SSB 5702

As Passed House:
April 16, 2013

Title: An act relating to aquatic invasive species.

Brief Description: Concerning aquatic invasive species.

Sponsors: Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Pearson and Ranker).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 3/21/13, 3/28/13 [DP].

Floor Activity:

Passed House: 4/16/13, 95-1.

Brief Summary of Substitute Bill

- Requires a person who enters Washington by road that is transporting a watercraft used outside of the state to have documentation that the watercraft is free of aquatic invasive species.
- Requires the Department of Fish and Wildlife adopt rules to implement the aquatic invasive species documentation requirement.
- Creates a new infraction for transporting a watercraft that has been used outside of Washington into the state by road without meeting the aquatic invasive species documentation requirement.
- Eliminates the Aquatic Nuisance Species Committee.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 15 members: Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys, Dunshee, Haigh, Hurst, Kretz, Orcutt, Pettigrew, Schmick, Stanford, Van De Wege and Warnick.

Staff: Cherlyn Walden (786-7296).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

Aquatic Invasive Species Enforcement.

Anyone that has used a commercial or recreational watercraft in certain states or countries must have documentation that the watercraft has been inspected for invasive species when they enter Washington. This applies when the watercraft has been used in an area designated as an aquatic invasive species state or country by rule of the Department of Fish and Wildlife (WDFW).

The WDFW may require anyone transporting a watercraft to stop at a check station. Check stations must be plainly marked and operated by at least one WDFW Officer. A person with a watercraft used in an aquatic invasive species state or country or that is contaminated with invasive species must bear the expense for any necessary impoundment, transportation, or decontamination. A person who stops at a check station and complies with WDFW directives is exempt from aquatic invasive species-related criminal penalties and forfeiture.

The term watercraft refers to recreational or commercial boats as well as transportation related and auxiliary equipment.

Aquatic Nuisance Species Committee.

In 2000 the Legislature established the Aquatic Nuisance Species Committee (Committee) consisting of a number of state natural resource agencies, in cooperation with tribes, federal agencies, and industry and conservation groups. The purpose of the Committee is to minimize the introduction of aquatic invasive species to the state, with special emphasis on prevention. The 2012 biennial report on the progress of the Committee recommends eliminating the Committee and continuing its work through the existing Invasive Species Council.

Invasive Species Council.

The Legislature established the Invasive Species Council (Council) in 2006 to provide policy-level direction, planning, and coordination regarding the prevention and control of invasive species issues in Washington. The statutory goals of the Council include serving as a forum for identifying and understanding invasive species, facilitating joint planning and cooperation among relevant entities, educating the public, and providing policy advice to the Legislature. Council membership consists of representatives from state and federal agencies, local governments, and other members invited by the Council.

Summary of Bill:

Aquatic Invasive Species Documentation Requirement.

A person who enters Washington by road and is transporting a watercraft used outside of the state must have documentation that the watercraft is free of aquatic invasive species. The WDFW must adopt rules to implement the documentation requirement, including identifying the types of allowable documentation.

A new infraction is created for transporting a watercraft that has been used outside of Washington into the state by road without meeting the aquatic invasive species documentation requirement.

Aquatic Nuisance Species Committee.

The Aquatic Nuisance Species Committee is eliminated by the repeal of its enacting statute.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The Pacific Northwest is the only area that does not have the Zebra and Quagga Mussels. Currently the state is working with Idaho, Oregon, Montana, and British Columbia in a coordinated effort to create a buffer to keep invasive species out of Washington. A passport system is in development to be used as inspection documentation and educate boaters about the danger of these species.

The bill is an important step towards the policy level planning, coordination, and prevention of aquatic invasive species into our state by modernizing and enhancing aquatic invasive species management authorities. It conforms with the recommendations of the Aquatic Invasive Species Enforcement Program Report that was submitted to the Legislature. Eliminating the Aquatic Nuisance Species Committee prevents the duplication of efforts since the Washington Invasive Species Council has been conducting the same efforts.

While there are a number of inspection stations throughout the state, they are not regularly in use and not always successful. Voluntary inspection and decontamination is also not always effective, thus this bill will help specify requirements, and the new infraction will provide an incentive for people to comply. California is spending millions of dollars trying to keep their water intakes clear of mussel invasive species. If the invasive species can be kept out of the area, a lot of money and hardship can be saved. There will be another bill to follow that is more comprehensive next year, but this bill is the first step.

(Opposed) None.

Persons Testifying: Senator Honeyford, prime sponsor; Allen Pleus and Carl Klein, Department of Fish and Wildlife; and Wendy Brown, Washington Invasive Species Council.

Persons Signed In To Testify But Not Testifying: None.