

SB 5923-S2.E - DIGEST

(DIGEST AS ENACTED)

Provides changes to aquatic invasive species enforcement and control.

Requires the department to post signs warning vessel owners of the threat of aquatic invasive species, the penalties associated with introduction of a prohibited aquatic animal or plant species, and the proper contact information for obtaining a free inspection. The signs must be posted at all ports of entry to the state and at all boat launches owned or leased by the department. The signs should provide enough information for the public to discern whether the vessel has been operated in an area that would warrant the need for an inspection.

Directs the department to provide an inspection of a watercraft at no cost to the person requesting the inspection. The department shall provide an inspection receipt verifying that the watercraft is not contaminated.

Directs the department to provide training to all department employees that are deployed in the field to provide for efficient and timely response and inspections of recreational and commercial watercraft.

Declares that a person is guilty of unlawfully avoiding aquatic invasive species check stations if the person fails to: (1) Obey check station signs; or

(2) Stop and report at a check station if directed to do so by a uniformed fish and wildlife officer.

Declares that unlawfully avoiding aquatic invasive species check stations is a gross misdemeanor.

Declares that: (1) A person is guilty of unlawfully introducing a prohibited aquatic animal species if the person fails to: (a) have a vessel inspected by state patrol officers or state fish and wildlife officers prior to launching the vessel in Washington waters; and (b) the vessel is contaminated with an aquatic invasive species, as defined by the department.

(2) The penalty for unlawfully introducing a prohibited aquatic animal species may include forfeiture of the contaminated watercraft, under RCW 77.15.070.

Provides that the department, in consultation with the ballast water work group, or similar collaborative forum, shall adopt by rule standards for the discharge of ballast water into the waters of the state and their implementation timelines. The standards are intended to ensure that the discharge of ballast water poses minimal risk of introducing nonindigenous species. In developing these standards, the department shall consider the extent to which the requirement is technologically and practically feasible. Where practical

and appropriate, the standards must be compatible with standards set by the United States coast guard, the federal clean water act (33 U.S.C. Sec. 1251-1387), or the international maritime organization.

Repeals RCW 77.120.060, 77.120.080, and 77.120.090.

VETO MESSAGE ON E2SSB 5923

May 7, 2007

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning, without my approval as to Section 11, Engrossed Second Substitute Senate Bill 5923 entitled:

"AN ACT Relating to aquatic invasive species enforcement and control."

Aquatic invasive species pose significant risks to the marine and freshwaters of the state. It is imperative that we continue to prevent their introduction, as they are extremely difficult and costly to eradicate once established. This bill provides the clear policy, the compliance programs and the necessary funding to ensure our success in this effort.

However, I am vetoing Section 11 of Engrossed Second Substitute Senate Bill 5923 which would permanently establish the Ballast Water Work Group and significantly expand its duties. The Work Group has been an excellent source of expertise and advice but it is not currently in the position to take on all of the responsibilities outlined in the bill. In addition, we have in place the Washington Invasive Species Council to provide policy direction, planning and coordination for addressing invasive species in the state.

I appreciate the need for cooperation and support from many stakeholders and agencies in order to succeed with this program. I understand that Director Koenings will establish advisory and technical groups, as needed, to implement this bill and will work closely with the Invasive Species Council to coordinate our state response to the threat of invasive species.

For these reasons, I have vetoed Section 11 of Engrossed Second Substitute Senate Bill 5923.

With the exception of Section 11, Engrossed Second Substitute Senate Bill 5923 is approved.

Respectfully submitted,
Christine O. Gregoire

Governor