

1 **SSB 5056 - H AMD 000426 ADOPTED 4-13-93**

2 By Representative King and Sehlin

3 On page 1, beginning on line 10, strike the remainder of the
4 bill and insert:

5 "NEW SECTION. **Sec. 2.** Unless the context clearly requires
6 otherwise, the definition in this section applies throughout this
7 chapter.

8 "Marine aquatic plants" means saltwater marine plant species
9 that are dependent upon the marine aquatic or tidal environment,
10 and exist in either an attached or free-floating state. Marine
11 aquatic plants include but are not limited to seaweed of the
12 classes Chlorophyta, Phaeophyta, and Rhodophyta.

13 NEW SECTION. **Sec. 3.** The maximum daily wet weight harvest or
14 possession of seaweed for personal use from all private and public
15 tidelands and state bedlands is ten pounds per person. The
16 department of natural resources in cooperation with the department
17 of fisheries may establish seaweed harvest limits of less than ten
18 pounds for conservation purposes. This section shall in no way
19 affect the ability of any state agency to prevent harvest of any
20 species of marine aquatic plant from lands under its control,
21 ownership, or management.

22 NEW SECTION. **Sec. 4.** A violation of section 3 of this act is
23 an infraction under chapter 7.84 RCW, punishable by a penalty of
24 one hundred dollars.

25 NEW SECTION. **Sec. 5.** The department of fisheries may enforce
26 the provisions of sections 3 and 4 of this act.

27 NEW SECTION. **Sec. 6.** Section 3 of this act does not apply

1 to commercial harvest of marine aquatic plants.

2 **Sec. 7.** RCW 75.10.010 and 1985 c 155 s 1 are amended to read
3 as follows:

4 (1) Fisheries patrol officers and ex officio fisheries patrol
5 officers within their respective jurisdictions, shall enforce this
6 title, rules of the director, and other statutes as prescribed by
7 the legislature.

8 (2) When acting within the scope of subsection (1) of this
9 section and when an offense occurs in the presence of the fisheries
10 patrol officer who is not an ex officio fisheries patrol officer,
11 the fisheries patrol officer may enforce all criminal laws of the
12 state. The fisheries patrol officer must have successfully
13 completed the basic law enforcement academy course sponsored by the
14 criminal justice training commission, or a supplemental course in
15 criminal law enforcement as approved by the department and the
16 criminal justice training commission and provided by the department
17 or the criminal justice training commission, prior to enforcing the
18 criminal laws of the state.

19 (3) Any liability or claim of liability which arises out of
20 the exercise or alleged exercise of authority by a fisheries patrol
21 officer rests with the department of fisheries unless the fisheries
22 patrol officer acts under the direction and control of another
23 agency or unless the liability is otherwise assumed under a written
24 agreement between the department of fisheries and another agency.

25 (4) Fisheries patrol officers may serve and execute warrants
26 and processes issued by the courts.

27 (5) Fisheries patrol officers may enforce the provisions of
28 sections 3 and 4 of this act.

29 NEW SECTION. **Sec. 8.** By December 31, 1993, the department of
30 natural resources in cooperation with the department of fisheries
31 shall develop and report to the appropriate committees of the

1 legislature on a process and budget necessary to accomplish the
2 following:

3 (1) Inventory and monitor the seaweed resource for seaweed
4 species that are or have the potential to be harvested for
5 recreational or tribal ceremonial and subsistence purposes;

6 (2) Develop a management plan that will address the
7 appropriate level of recreational harvest of seaweed while
8 conserving the seaweed resource;

9 (3) Identify the respective state and tribal roles in managing
10 the seaweed resource; and

11 (4) Involve interested parties in development of the inventory
12 and management plan, including the state parks and recreation
13 commission, affected counties, private tideland owners, the tribes,
14 and representatives of those who harvest seaweed for personal use.
15 The department of natural resources shall also involve these
16 interested parties in development of the process and budget.

17 NEW SECTION. **Sec. 9.** Sections 2 through 6 of this act are
18 each added to chapter 79.01 RCW."

19 EFFECT: Corrects a spelling error. Applies the seaweed
20 harvest limit to all public lands rather than to state lands
21 only. Removes the requirement that a seaweed management plan
22 be developed, and requires instead the development of a
23 process and budget for an inventory and management plan and an
24 identification of the respective state and tribal roles in
25 managing the seaweed resource. The process and budget are to
26 be developed with interested parties, and submitted to the
27 appropriate committees of the Legislature by December 31,
28 1993. Changes the penalty for violating the harvest limit
29 from a misdemeanor to an infraction, punishable by a penalty
30 of one hundred dollars.