

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6204

Chapter 286, Laws of 1994

53rd Legislature
1994 Regular Session

SEAWEED HARVESTING

EFFECTIVE DATE: 7/1/94

Passed by the Senate March 9, 1994
YEAS 45 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House March 9, 1994
YEAS 93 NAYS 3

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved April 1, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6204** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

April 1, 1994 - 2:34 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6204

AS RECOMMENDED BY CONFERENCE COMMITTEE

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Senate Committee on Natural Resources (originally sponsored by
Senators Snyder and Haugen)

Read first time 02/02/94.

1 AN ACT Relating to seaweed harvesting; amending RCW 79.01.805,
2 79.01.810, and 79.01.815; decodifying RCW 79.96.907; repealing RCW
3 79.01.820; prescribing penalties; and providing an effective date.

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

5 **Sec. 1.** RCW 79.01.805 and 1993 c 283 s 3 are each amended to read
6 as follows:

7 (1) The maximum daily wet weight harvest or possession of seaweed
8 for personal use from all ((private and public tidelands and state
9 bedlands)) aquatic lands as defined under RCW 79.90.010 and all
10 privately owned tidelands is ten pounds per person. The department of
11 natural resources in cooperation with the department of ((fisheries))
12 fish and wildlife may establish seaweed harvest limits of less than ten
13 pounds for conservation purposes. This section shall in no way affect
14 the ability of any state agency to prevent harvest of any species of
15 marine aquatic plant from lands under its control, ownership, or
16 management.

17 (2) Except as provided under subsection (3) of this section,
18 commercial harvesting of seaweed from aquatic lands as defined under

1 RCW 79.90.010, and all privately owned tidelands is prohibited. This
2 subsection shall in no way affect commercial seaweed aquaculture.

3 (3) Upon mutual approval by the department and the department of
4 fish and wildlife, seaweed species of the genus Macrocyctis may be
5 commercially harvested for use in the herring spawn-on-kelp fishery.

6 (4) Seaweed species of the genus Macrocyctis may not be imported
7 after July 1, 1995, for use in the herring spawn-on-kelp fishery.

8 **Sec. 2.** RCW 79.01.810 and 1993 c 283 s 4 are each amended to read
9 as follows:

10 ~~((A violation of RCW 79.01.805 is an infraction under chapter 7.84~~
11 ~~RCW, punishable by a penalty of one hundred dollars.))~~

12 It is unlawful to exceed the harvest and possession restrictions
13 imposed under RCW 79.01.805. A violation of this section is a
14 misdemeanor punishable in accordance with RCW 9.92.030, and a violation
15 taking place on aquatic lands is subject to the provisions of RCW
16 79.01.760. A person committing a violation of this section on private
17 tidelands which he or she owns is liable to the state for treble the
18 amount of damages to the seaweed resource, and a person trespassing on
19 private tidelands and committing a violation of this section is liable
20 to the private tideland owner for treble the amount of damages to the
21 seaweed resource. Damages recoverable include, but are not limited to,
22 damages for the market value of the seaweed, for injury to the aquatic
23 ecosystem, and for the costs of restoration. In addition, the person
24 is liable for reimbursing the injured party for the party's reasonable
25 costs, including but not limited to investigative costs and reasonable
26 attorneys' fees and other litigation-related costs.

27 **Sec. 3.** RCW 79.01.815 and 1993 c 283 s 5 are each amended to read
28 as follows:

29 The department of ~~((fisheries))~~ fish and wildlife and law
30 enforcement authorities may enforce the provisions of RCW 79.01.805 and
31 79.01.810.

32 NEW SECTION. **Sec. 4.** RCW 79.01.820 and 1993 c 283 s 6 are each
33 repealed.

34 NEW SECTION. **Sec. 5.** RCW 79.96.907 is decodified.

1 NEW SECTION. **Sec. 6.** This act shall take effect July 1, 1994.

Passed the Senate March 9, 1994.

Passed the House March 9, 1994.

Approved by the Governor April 1, 1994.

Filed in Office of Secretary of State April 1, 1994.