

CERTIFICATION OF ENROLLMENT

SENATE BILL 6121

Chapter 577, Laws of 2009

61st Legislature
2009 Regular Session

BIOTOXIN TESTING AND MONITORING--SURCHARGE

EFFECTIVE DATE: 07/01/09

Passed by the Senate April 20, 2009
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 25, 2009
YEAS 95 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 19, 2009, 4:12 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6121** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 20, 2009

**Secretary of State
State of Washington**

SENATE BILL 6121

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senators Tom, Zarelli, and Keiser; by request of Department of Health
Read first time 03/11/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to the surcharge to fund biotoxin testing and
2 monitoring; amending RCW 77.32.555; providing an effective date; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 77.32.555 and 2005 c 416 s 1 are each amended to read
6 as follows:

7 (1) In addition to the fees authorized in this chapter, the
8 department shall include a surcharge to fund biotoxin testing and
9 monitoring by the department of health of beaches used for recreational
10 shellfishing, and to fund monitoring by the Olympic region harmful
11 algal bloom program of the Olympic natural resources center at the
12 University of Washington. A surcharge of three dollars applies to
13 resident and nonresident shellfish and seaweed licenses as authorized
14 by RCW 77.32.520(3) (a) and (b); a surcharge of two dollars applies to
15 resident and nonresident adult combination licenses as authorized by
16 RCW 77.32.470(2)(a); a surcharge of two dollars applies to annual
17 resident and nonresident razor clam licenses as authorized by RCW
18 77.32.520(4); and a surcharge of one dollar applies to the three-day
19 razor clam license authorized by RCW 77.32.520(5). Amounts collected

1 from these surcharges must be deposited in the (~~general fund--local~~
2 ~~account managed by the department of health, except that one hundred~~
3 ~~fifty thousand dollars per year shall be deposited in the general~~
4 ~~fund--local account managed by the University of Washington)) biotoxin
5 account created in subsection (3) of this section.~~

6 (~~Unspent amounts from the surcharges deposited in the general~~
7 ~~fund--local accounts managed by the department of health and the~~
8 ~~University of Washington shall carry over to ensuing biennia to pay for~~
9 ~~the ongoing costs of the programs.)) (2) Any moneys from surcharges
10 remaining in the general fund--local account after the 2007-2009
11 biennium must be transferred to the biotoxin account created in
12 subsection (3) of this section and be credited to the appropriate
13 institution. The department of health and the University of Washington
14 shall, by December 1st of each year, provide a letter to the relevant
15 legislative policy and fiscal committees on the status of expenditures.
16 This letter shall include, but is not limited to, the annual
17 appropriation amount, the amount not expended, account fund balance,
18 and reasons for not spending the full annual appropriation.~~

19 (3) The biotoxin account is created in the state treasury to be
20 administered by the department of health. All moneys received under
21 subsection (1) of this section must be deposited in the account and
22 used by the department of health and the University of Washington as
23 required by subsection (1) of this section. Of the moneys deposited
24 into the account, one hundred fifty thousand dollars per year must be
25 made available to the University of Washington to implement subsection
26 (1) of this section. Moneys in the account may be spent only after
27 appropriation.

28 NEW SECTION. Sec. 2. This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of the
30 state government and its existing public institutions, and takes effect
31 July 1, 2009.

Passed by the Senate April 20, 2009.

Passed by the House April 25, 2009.

Approved by the Governor May 19, 2009.

Filed in Office of Secretary of State May 20, 2009.