

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5056

53rd Legislature
1993 Regular Session

Passed by the Senate April 19, 1993
YEAS 41 NAYS 0

President of the Senate

Passed by the House April 13, 1993
YEAS 96 NAYS 2

**Speaker of the
House of Representatives**

Approved

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5056** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5056

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senate Committee on Natural Resources (originally sponsored by Senator Haugen)

Read first time 01/28/93.

1 AN ACT Relating to seaweed; amending RCW 75.10.010; adding new
2 sections to chapter 79.01 RCW; creating new sections; and prescribing
3 penalties.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the plant
6 resources of marine aquatic ecosystems have inherent value and provide
7 essential habitat. These resources are also becoming increasingly
8 valuable as economic commodities and may be declining. The legislature
9 further finds that the regulation of harvest of these resources is
10 currently inadequate to afford necessary protection.

11 NEW SECTION. **Sec. 2.** Unless the context clearly requires
12 otherwise, the definition in this section applies throughout this
13 chapter.

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

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

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

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

14 NEW SECTION. **Sec. 6.** Section 3 of this act does not apply to
15 commercial harvest of marine aquatic plants.

16 **Sec. 7.** RCW 75.10.010 and 1985 c 155 s 1 are each amended to read
17 as follows:

18 (1) Fisheries patrol officers and ex officio fisheries patrol
19 officers within their respective jurisdictions, shall enforce this
20 title, rules of the director, and other statutes as prescribed by the
21 legislature.

22 (2) When acting within the scope of subsection (1) of this section
23 and when an offense occurs in the presence of the fisheries patrol
24 officer who is not an ex officio fisheries patrol officer, the
25 fisheries patrol officer may enforce all criminal laws of the state.
26 The fisheries patrol officer must have successfully completed the basic
27 law enforcement academy course sponsored by the criminal justice
28 training commission, or a supplemental course in criminal law
29 enforcement as approved by the department and the criminal justice
30 training commission and provided by the department or the criminal
31 justice training commission, prior to enforcing the criminal laws of
32 the state.

33 (3) Any liability or claim of liability which arises out of the
34 exercise or alleged exercise of authority by a fisheries patrol officer
35 rests with the department of fisheries unless the fisheries patrol

1 officer acts under the direction and control of another agency or
2 unless the liability is otherwise assumed under a written agreement
3 between the department of fisheries and another agency.

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

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

8 NEW SECTION. **Sec. 8.** By December 31, 1993, the department of
9 natural resources in cooperation with the department of fisheries shall
10 develop and report to the appropriate committees of the legislature on
11 a process and budget necessary to accomplish the following:

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

15 (2) Develop a management plan that will address the appropriate
16 level of recreational harvest of seaweed while conserving the seaweed
17 resource;

18 (3) Identify the respective state and tribal roles in managing the
19 seaweed resource; and

20 (4) Involve interested parties in development of the inventory and
21 management plan, including the state parks and recreation commission,
22 affected counties, private tideland owners, the tribes, and
23 representatives of those who harvest seaweed for personal use. The
24 department of natural resources shall also involve these interested
25 parties in development of the process and budget.

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

--- END ---