

SENATE BILL REPORT

SB 5658

As Reported By Senate Committee On:
Natural Resources, Parks & Recreation, March 1, 1999
Ways & Means, March 8, 1999

Title: An act relating to sea urchin and sea cucumber dive fishery licenses and revenues.

Brief Description: Changing shellfish provisions.

Sponsors: Senators Spanel, Hargrove and Snyder.

Brief History:

Committee Activity: Natural Resources, Parks & Recreation: 2/18/99, 3/1/99 [DPS-WM].
Ways & Means: 3/5/99, 3/8/99 [DP2S].

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & RECREATION

Majority Report: That Substitute Senate Bill No. 5658 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; T. Sheldon, Vice Chair; Hargrove, Morton, Oke, Rossi, Snyder, Spanel and Stevens.

Staff: David Johnson (786-7754)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5658 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Loveland, Chair; Bauer, Vice Chair; Brown, Vice Chair; Fairley, Fraser, Honeyford, Kline, Kohl-Welles, Long, McDonald, Rasmussen, Rossi, B. Sheldon, Snyder, Spanel, Thibaudeau, West, Winsley, Wojahn and Zarelli.

Staff: Kari Guy (786-7437)

Background: The harvesting of sea urchins and sea cucumbers is limited to 45 sea urchin and 50 sea cucumber licenses. A licensee must harvest and sell 20,000 pounds of urchin and 10,000 pounds of cucumber every two years in order to renew his or her license. Licenses may only be transferred upon death, divorce, or to a child or spouse. Because of recent limitations placed on these fisheries by court decisions and the size of the resource, it has become very difficult for some harvesters to maintain their licenses. Some licensees wish to transfer their licenses to others.

Summary of Second Substitute Bill: Only 25 dive fishery licenses for the harvest of sea urchins and 25 for sea cucumbers are allowed. Only natural persons or corporations owned by one person or a marital community may renew licenses after December 31, 1999. Each

natural person or corporation is limited to a maximum of two urchin and two cucumber licenses.

Sea urchin and sea cucumber dive fishery accounts are created to reduce the number of licenses to 25 each, and for resource management and enforcement. Surcharges are paid into the respective accounts for license renewals, designation of alternate operators, and transference of licenses. The funds are subject to allotment. A one-time exemption is allowed for a transference to a spouse or child.

The excise tax on sea urchins and sea cucumbers is raised to 4.6 percent from January 1, 2000, until December 31, 2005, and returned to 2.1 percent thereafter. The additional tax is paid into the respective dive fishery retirement accounts.

Second Substitute Bill Compared to Substitute Bill: An effective date of January 1, 2000, is added for the excise tax increase.

Substitute Bill Compared to Original Bill: The substitute bill made technical corrections and allowed some limited corporations to hold licenses.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For (Natural Resources, Parks & Recreation): Recent court decisions regarding tribal rights have changed this fishery. This will help the fishery adjust and stay healthy. Eliminating minimum quotas will protect the resource. Allowing transfer of licenses and promoting owner/operators will enhance a concerned and involved industry. Limited corporate ownership protects the small harvester in this very dangerous fishery.

Testimony Against (Natural Resources, Parks & Recreation): Purchasers could more easily monopolize harvesters out of the fishery because of their greater resources and the fees this bill puts in place. The bill is unclear that it will actually reduce the number of licenses.

Testified (Natural Resources, Parks & Recreation): PRO: Stephen Lacroix, permit holder; Carl Sheats, Bubble Heads Inc.; Morris Barker, WDFW; Michael Ellis, Sea Urchin-Sea Cucumber Advisory Board; Brad Nelson, permit holder; Casey Bakker, permit holder (with concerns).

Testimony For (Ways & Means): This will ensure the long-term viability of the sea urchin and sea cucumber fishers.

Testimony Against (Ways & Means): None.

Testified (Ways & Means): Morris Blake, WA Dept. of Fish and Wildlife (pro).