

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5169**

59th Legislature  
2005 Regular Session

Passed by the Senate April 18, 2005  
YEAS 34 NAYS 5

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**President of the Senate**

Passed by the House April 5, 2005  
YEAS 92 NAYS 0

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**Speaker of the House of Representatives**

Approved

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**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 **SUBSTITUTE SENATE BILL 5169** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5169**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2005 Regular Session

**State of Washington                      59th Legislature                      2005 Regular Session**

**By** Senate Committee on Ways & Means (originally sponsored by  
Senators Hargrove and Shin)

READ FIRST TIME 03/02/05.

1            AN ACT Relating to the carry over of funds for biotoxin testing and  
2 monitoring; amending RCW 77.32.555; and declaring an emergency.

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

4            **Sec. 1.** RCW 77.32.555 and 2004 c 248 s 2 are each amended to read  
5 as follows:

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

1 account managed by the department of health, except that one hundred  
2 fifty thousand dollars per year shall be deposited in the general  
3 fund--local account managed by the University of Washington.

4 ~~((Amounts in excess of the annual costs of the department of health  
5 recreational shellfish testing and monitoring program shall be  
6 transferred to the general fund by the department of health.))~~ Unspent  
7 amounts from the surcharges deposited in the general fund--local  
8 accounts managed by the department of health and the University of  
9 Washington shall carry over to ensuing biennia to pay for the ongoing  
10 costs of the programs. The department of health and the University of  
11 Washington shall, by December 1st of each year, provide a letter to the  
12 relevant legislative policy and fiscal committees on the status of  
13 expenditures. This letter shall include, but is not limited to, the  
14 annual appropriation amount, the amount not expended, account fund  
15 balance, and reasons for not spending the full annual appropriation.

16 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of the  
18 state government and its existing public institutions, and takes effect  
19 immediately.

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