

# SENATE BILL REPORT

## SB 6121

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As Passed Senate, April 20, 2009

**Title:** An act relating to the surcharge to fund biotoxin testing and monitoring.

**Brief Description:** Regarding the surcharge to fund biotoxin testing and monitoring.

**Sponsors:** Senators Tom, Zarelli and Keiser; by request of Department of Health.

**Brief History:**

**Committee Activity:** Ways & Means: 3/17/09, 3/18/09 [DP, w/oRec].

Passed Senate: 4/20/09, 48-0.

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Fairley, Hewitt, Hobbs, Keiser, Kline, Kohl-Welles, McDermott, Murray, Oemig, Parlette, Pflug, Regala, Rockefeller and Schoesler.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Carrell.

**Staff:** Maria Hovde (786-7710)

**Background:** The Department of Health's (DOH) Environmental Health program conducts testing and monitoring of biotoxins in the recreational shellfish fisheries. In the event dangerous levels of toxins are detected, the DOH has authorization to close shellfish beds and beaches.

The Olympic Region Harmful Algal Bloom Monitoring Program is a collaboration of government, academia, businesses, and tribes established to study harmful algal blooms on the Washington coast. The program is based in the Olympic Natural Resources Center and administered by the University of Washington (UW).

The 2003 Legislature authorized the increase of shellfish license fees to cover the cost of shellfish testing and algal bloom monitoring through an assessment of various surcharges. Amounts collected must be deposited in the General Fund-Local Account managed by the

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DOH except \$150,000 per year which is deposited into the General Fund-Local Account managed by the UW with the amounts in excess of the annual costs being transferred to the State General Fund.

The 2005 Legislature authorized the UW's \$150,000 annual appropriation to carry over into ensuing biennia rather than be transferred to the State General Fund and authorizes the DOH to carry forward its unspent biotoxin and monitoring funds. The DOH and the UW must provide an annual letter to the Legislature on the status of expenditures.

The Department of Fish and Wildlife is currently authorized by statute to collect:

- \$3.00 surcharge from the sale of resident and nonresident shellfish and seaweed licenses;
- \$2.00 surcharge on resident and nonresident adult combination licenses;
- \$2.00 surcharge on annual resident and nonresident razor clam licenses; and
- \$1.00 surcharge for the three-day razor clam license.

**Summary of Bill:** The Biotoxin Account is created and will be administered by DOH for the testing and monitoring of biotoxins and the Olympic Region Harmful Algal Bloom Monitoring Program. Any monies from surcharges remaining in the General Fund-Local Account after the 2007-2009 biennium must be transferred to the Biotoxin Account.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2009.

**Staff Summary of Public Testimony:** PRO: This bill is a housekeeping bill. Local accounts are generally utilized for private funds or donations whereas state accounts are for state funds and are appropriated. This will not change the amount of fees collected, nor will it change the use of the funds.

**Persons Testifying:** PRO: Julie Murray, Office of Financial Management.