

SENATE BILL REPORT

SB 5453

As of January 25, 2012

Title: An act relating to investing in the economy of the state of Washington by creating a mechanism to enhance the production of Pacific salmon in waters located east of Cape Flattery and subject to the agreements made by the state government, the federal government, and tribal governments relating to the cooperative management of the resource.

Brief Description: Enhancing the production of Pacific salmon.

Sponsors: Senators Fraser, Swecker, Regala, Morton, Rockefeller, Hargrove, Ranker, Sheldon and Shin.

Brief History:

Committee Activity: Natural Resources & Marine Waters: 2/03/11.
Energy, Natural Resources & Marine Waters: 1/26/12.

SENATE COMMITTEE ON NATURAL RESOURCES & MARINE WATERS

Staff: Curt Gavigan (786-7437)

SENATE COMMITTEE ON ENERGY, NATURAL RESOURCES & MARINE WATERS

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Background: Enhanced Food Fish Tax. The state's enhanced food fish tax applies to the first commercial possession by an owner of specified species within the state. The tax is measured by the value of the fish when landed. The tax is levied by the state and administered by the Department of Revenue (DOR). Receipts for most species are deposited in the state General Fund.

Role of the Recreation and Conservation Office (RCO). The RCO administers a number of grant and policy programs relating to natural resource conservation and outdoor recreation. These programs include the Recreation and Conservation Funding Board; Salmon Recovery Funding Board (RCFB); the Governor's Salmon Recovery Office; the Invasive Species Council; and the Habitat and Recreational Land Coordinating Group. The Director of RCO is appointed by and serves at the pleasure of the Governor. However, the Governor must select the Director from among nominations submitted by the RCFB.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Role of the Department of Fish and Wildlife (DFW). DFW serves as manager of the state's fish and wildlife resources. Among other duties, DFW must protect and manage fish and wildlife, including establishing the time, place, manner, and methods used to harvest or enjoy fish and wildlife.

Prohibition on the Release and Recapture of Salmon and Steelhead. Generally, private entities may not release salmon or steelhead into state waters for subsequent recapture and commercial harvest.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): Creates the Puget Sound Salmon Enhancement Assessment. In addition to the existing enhanced food fish tax, an assessment is imposed for all salmon caught in Puget Sound under a commercial license issued by DFW. The assessment equals 5 percent of the value of salmon at the point of landing. Revenue from the assessment must be deposited in the Salmon Enhancement Assessment dedicated account.

If a harvester sells to a licensed fish buyer, each must contribute half of the assessment. However, the fish buyer is responsible for assessment collection and must hold these amounts in trust until paid to DOR. If a harvester sells the fish outside of Washington or to an unlicensed fish buyer, the harvester is responsible for the entire assessment.

Provides Assessment Revenue to a Qualifying Organization for Salmon Enhancement Purposes. RCO, through the Director, must identify a qualifying organization to partner with the agency to (1) enhance harvest opportunities; and (2) undertake salmon enhancement projects. RCO must issue a request for proposals prior to selecting the qualifying organization, and may appoint an advisory committee to assist with this selection.

In order to partner with RCO, an organization must:

- be a private non-profit corporation;
- have salmon enhancement activities as an organizational mission; and
- be able to demonstrate that its Board of Directors proportionally reflect anticipated assessment contributions by fishers and processors who must pay the assessment.

Once selected, RCO must provide all revenue from the assessment to the organization as a grant, except that it can retain up to 10 percent of assessment revenues to defray its costs. The organization must use these funds for salmon enhancement projects, which may include hatchery operations and other projects designed to increase salmon production. RCO must ensure that grant funds are used consistent with the statutory purposes of the grant program, and may include oversight provisions as part of the grant contract with the qualifying organization.

Grant contracts may not exceed four years in duration, after which time RCO must issue a new request for proposals from entities seeking to partner with RCO. The grant program expires December 31, 2018.

Authorizes the Release and Recapture of Salmon and Steelhead by the Qualifying Organization. A qualifying organization may operate a salmon hatchery and release salmon

for subsequent recapture and commercial harvest, consistent with other applicable provisions of state law.

Terms are defined. Findings and intent language is included.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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