

# SENATE BILL REPORT

## SB 5702

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As Reported by Senate Committee On:  
Natural Resources & Parks, February 21, 2013

**Title:** An act relating to aquatic invasive species.

**Brief Description:** Concerning aquatic invasive species.

**Sponsors:** Senators Honeyford, Pearson and Ranker.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 2/19/13, 2/21/13 [DPS, w/oRec].

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** That Substitute Senate Bill No. 5702 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove, Hewitt and Parlette.

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

Signed by Senator Rolfes, Ranking Member.

**Staff:** Curt Gavigan (786-7437)

**Background:** Aquatic Invasive Species (AIS) Enforcement. Under current statute, anyone that has used a commercial or recreational watercraft in certain states or countries must have documentation that the watercraft has been inspected for invasive species when they enter Washington. This applies when the watercraft has been used in an area designated as an AIS state or country by rule of Department of Fish and Wildlife (DFW). Currently there are no such states or countries designated by DFW.

DFW may require anyone transporting a watercraft to stop at a check station. Check stations must be plainly marked and operated by at least one DFW Officer. A person with a watercraft used in an AIS state or country or that is contaminated with invasive species must bear the expense for any necessary impoundment, transportation, or decontamination. However, a person who stops at a check station and complies with DFW directives is exempt from AIS-related criminal penalties and forfeiture.

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*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.*

The term watercraft refers to recreational or commercial boats as well as transportation-related and auxiliary equipment.

Aquatic Nuisance Species Committee (Committee). In 2000, the Legislature established the Committee consisting of a number of state natural resource agencies, in cooperation with tribes, federal agencies, and industry and conservation groups. The purpose of the Committee is to minimize the introduction of aquatic invasive species to the state, with special emphasis on prevention. The 2012 biennial report on the progress of the Committee recommends eliminating the Committee and continuing its work through the existing Invasive Species Council.

Invasive Species Council (Council). The Legislature established the Council in 2006 to provide policy-level direction, planning, and coordination regarding the prevention and control of invasive species issues in Washington. The statutory goals of the Council include serving as a forum for identifying and understanding invasive species, facilitating joint planning and cooperation among relevant entities, educating the public, and providing policy advice to the Legislature. Council membership consists of representatives from state and federal agencies, local governments, and other members invited by the Council.

**Summary of Bill (Recommended Substitute):** Modifies AIS Documentation Requirement. Current law is modified to require a person who enters Washington by road and is transporting a watercraft used outside of the state to have documentation that the watercraft is free of AIS. This makes the documentation requirement apply to watercraft used in any area outside of Washington, not just those areas specifically identified by DFW rule.

DFW must adopt rules to implement the documentation requirement, including identifying the types of allowable documentation. Language relating to DFW's AIS check station authority is modified consistent with the changes to the documentation requirement.

A new infraction is created for transporting watercraft into Washington by road without meeting the AIS documentation requirement .

Abolishes the Aquatic Nuisance Species Committee. In addition to the changes to AIS documentation requirements, the Committee is abolished.

**EFFECT OF CHANGES MADE BY NATURAL RESOURCES & PARKS COMMITTEE (Recommended Substitute):**

- Requires that DFW adopt rules to implement the documentation requirement, which must include identifying allowable forms of documentation.
- Makes changes to align the rest of the statute with the changes to the documentation requirement.
- Makes technical changes.

**Appropriation:** None.

**Fiscal Note:** Available.

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

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

**Staff Summary of Public Testimony on Original Bill:** PRO: This bill can help protect Washington State from aquatic invasive species, in turn helping strengthen our infrastructure. These species have the ability to influence our dams, irrigation districts, recreational opportunities, and property values. In addition, educational outreach, further penalties to those not conforming to the statute, and an inspection of vessels coming into the state will increase the protection of our waters.

**Persons Testifying:** PRO: Senator Honeyford, prime sponsor; Carl Klein, Allen Pleus, DFW; Wendy Brown, WA Invasive Species Council.