

# SENATE BILL REPORT

## HB 1620

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As Reported by Senate Committee On:  
Natural Resources & Parks, March 25, 2015  
Ways & Means, April 7, 2015

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

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

**Sponsors:** Representatives Tharinger, Fey, Lytton, Van De Wege, Stanford, Fitzgibbon, Walkinshaw, Cody, Pollet and Jinkins; by request of Department of Health.

**Brief History:** Passed House: 3/10/15, 92-5.

**Committee Activity:** Natural Resources & Parks: 3/19/15, 3/25/15 [DPA-WM, DNP, w/oRec].

Ways & Means: 4/06/15, 4/07/15 [DPA, w/oRec].

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Pearson, Chair; Hatfield, Ranking Minority Member; Chase and McAuliffe.

**Minority Report:** Do not pass.

Signed by Senator Dansel, Vice Chair.

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

Signed by Senators Hewitt and Warnick.

**Staff:** Bonnie Kim (786-7316)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended.

Signed by Senators Hill, Chair; Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey, Becker, Billig, Brown, Conway, Fraser, Hasegawa, Hatfield, Kohl-Welles, O'Ban, Rolfes and Warnick.

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

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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.*

Signed by Senators Hewitt, Padden and Schoesler.

**Staff:** Kellee Keegan (786-7716)

**Background:** In 2009 the Legislature created the Biotoxin Account administered by the Department of Health and authorized the Washington Department of Fish and Wildlife (WDFW) to collect the following surcharges on recreational shellfish licenses:

- a \$3 surcharge on resident and nonresident adult shellfish and seaweed licenses;
- a \$2 surcharge on annual resident and nonresident adult combination licenses;
- a \$2 surcharge on annual resident and nonresident razor clam licenses; and
- a \$1 surcharge on the three-day razor clam license.

Amounts collected from these surcharges must be deposited in the Biotoxin Account and may be spent only after appropriation.

**Summary of Bill (Recommended Amendments):** The biotoxin testing and monitoring surcharge on recreational shellfish licenses is increased by \$1. The total biotoxin testing and monitoring surcharges after the \$1 increase are as follows:

- a \$4 surcharge on resident and nonresident adult shellfish and seaweed licenses;
- a \$3 surcharge on annual resident and nonresident combination licenses;
- a \$3 surcharge on annual resident and nonresident razor clam licenses; and
- a \$2 surcharge on the three-day razor clam license.

WDFW may not use biotoxin surcharge revenue to pay for administrative costs.

The commercial shellfish licensing surcharge is in rule only; not statute like the recreational surcharge. The Department of Health and WDFW must increase the surcharge for recreational shellfish licenses at the same time they elect to raise the fee for commercial shellfish licenses. Recreational licenses may not increase more than \$1.

**EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Amendments):** The Department of Health and WDFW must raise the surcharge for recreational licenses at the same time the commercial shellfish license surcharge is raised. The recreational surcharge increase cannot be more than \$1.

**EFFECT OF CHANGES MADE BY NATURAL RESOURCES & PARKS COMMITTEE (Recommended Amendments):** Clarifies that WDFW may not use biotoxin surcharge revenue to pay for administrative costs.

**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 House Bill (Natural Resources & Parks):** PRO: This bill adds a fee to fund testing to ensure our recreational shellfish beds are safe and open to the public. There is a new algae bloom that needs more study and testing. This bill will allow the Department of Health (DOH) to conduct more testing for diuretic shellfish poisoning. This surcharge has not been raised since it was created in 2003. DOH is also seeking budgetary authority to increase the fee charged in the commercial shellfish industry. About 3000 annual samples are required to protect public health. This bill affects the commercial shellfish industry's ability to ship product internationally. The testing under this bill will get us closer to safety requirements to ship product to the European Union. Biotoxin testing allows us to ensure the public remains healthy and benefits the coastal economy. One of Puget Sound Partnership's primary goals is shellfish bed recovery. Monitoring for biotoxins would help us assess recovery.

**Persons Testifying (Natural Resources & Parks):** PRO: Representative Tharinger, prime sponsor; Jim Jesernig, Pacific Coast Shellfish Growers Assn.; Dan Ayres, WA Dept. of Fish and Wildlife; Jerrod Davis, DOH; Jeff Parsons, Puget Sound Partnership.

**Persons Signed in to Testify But Not Testifying:** No one.

**Staff Summary of Public Testimony on Bill as Amended by Natural Resources & Parks (Ways & Means):** None.

**Persons Testifying (Ways & Means):** No one.

**Persons Signed in to Testify But Not Testifying:** PRO: Jim Jesernig, Pacific Coast Shellfish Growers; Ann Larson, WDFW; Kelly Cooper, DOH.