

HOUSE BILL REPORT

SB 5918

As Passed House - Amended:

April 12, 2019

Title: An act relating to providing whale watching guidelines in the boating safety education program.

Brief Description: Providing whale watching guidelines in the boating safety education program.

Sponsors: Senators Lovelett, Warnick, Van De Wege, Conway, Hasegawa, Hobbs, King, Wilson, C., Randall, Nguyen, Dhingra, Frockt, Hawkins, Billig, Das, Hunt, Darneille, Wagoner and Palumbo.

Brief History:

Committee Activity:

Rural Development, Agriculture, & Natural Resources: 3/20/19, 4/2/19 [DP];
Appropriations: 4/6/19, 4/8/19 [DPA].

Floor Activity:

Passed House - Amended: 4/12/19, 90-5.

Brief Summary of Bill (As Amended by House)

- Requires the Boating Safety Education Program to include educational materials on whale watching guidelines and other voluntary and regulatory measures related to whale watching.

HOUSE COMMITTEE ON RURAL DEVELOPMENT, AGRICULTURE, & NATURAL RESOURCES

Majority Report: Do pass. Signed by 11 members: Representatives Blake, Chair; Shewmake, Vice Chair; Chandler, Ranking Minority Member; Chapman, Fitzgibbon, Kretz, Lekanoff, Orcutt, Pettigrew, Ramos and Springer.

Minority Report: Do not pass. Signed by 3 members: Representatives Dye, Schmick and Walsh.

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.

Staff: Robert Hatfield (786-7117).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended. Signed by 29 members: Representatives Ormsby, Chair; Bergquist, 2nd Vice Chair; Robinson, 1st Vice Chair; Stokesbary, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Chandler, Cody, Dolan, Dye, Fitzgibbon, Hansen, Hoff, Hudgins, Jinkins, Macri, Mosbrucker, Pettigrew, Pollet, Ryu, Senn, Springer, Stanford, Steele, Sullivan, Tarleton, Tharinger and Ybarra.

Minority Report: Do not pass. Signed by 3 members: Representatives Kraft, Schmick and Sutherland.

Staff: Dan Jones (786-7118).

Background:

Boating Safety Education Program.

The Washington State Parks and Recreation Commission (Commission) must, among other things, adopt and enforce recreational boating safety rules, including equipment and navigating requirements, consistent with United States Coast Guard regulations.

Additionally, the Commission must coordinate a statewide Boating Safety Education Program. The Boating Safety Education Program must include a minimum standard of boating safety education accomplishment, minimum standards for boating safety course of instruction and examination, and accreditation of boating safety education courses operated by entities such as the United States Coast Guard Auxiliary and the United States Power Squadrons. An equivalency exam may be taken as an alternative to the boating safety education course.

In order to operate a motor-driven boat or vessel of 15 horsepower or greater, a person must be at least 12 years old and: (1) possess a Washington State Boater Education Card (Boater Education Card); or (2) be accompanied by and under the supervision of a person at least 16 years old who has a Boater Education Card.

Certain individuals are not required to have a Boater Education Card, including:

- any person born before January 1, 1955;
- operators with a commercial fishing license operating a commercial fishing boat;
- operators with a United States Coast Guard Marine Operator License when operating the vessel authorized under the license;
- operators of exempt vessels, including vessels for law enforcement or official government work;
- operators of rented, leased, or chartered vessels who complete the Commission-approved educational checklist in lieu of a Boater Education Card;
- an operator who is a resident of another state or country and does not operate the vessel for more than 60 consecutive days;
- an operator who is a resident of another state or country who has a valid card from that state or country; or

- any person who has purchased a vessel within the last 60 days.

Southern Resident Killer Whale Task Force.

Governor Jay Inslee issued an executive order in 2018 convening the Southern Resident Killer Whale Task Force (Task Force). The Task Force was directed to identify, prioritize, and support implementing a plan to address three threats to southern resident orca whales: (1) prey availability; (2) contaminants; and (3) disturbance from vessel noise. The Task Force in its November 2018 report recommended that additional education should be provided to commercial and recreational boaters.

Summary of Amended Bill:

The Boating Safety Education Program must include educational materials on whale watching guidelines and other voluntary and regulatory measures related to whale watching in the program.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony (Rural Development, Agriculture, & Natural Resources):

(In support) This bill represents just a minor upgrade to the existing Boating Safety Education curriculum so that boaters, when they get their license, know what they need to do in order to protect orcas.

Over 350,000 Washington boaters have completed the Boating Safety Education Program, and between 25,000 and 30,000 new boaters are certified each year. Questions related to whale watching guidelines would need to be added to the boater exam. The Washington State Parks and Recreation Commission would also need to add material to the Boating Safety Education curriculum. Outreach materials would also need to be updated.

The Boating Safety Education Program is funded primarily through grants from the United States Coast Guard, but there will also need to be some level of additional state funding.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) None.

(Opposed) None.

Persons Testifying (Rural Development, Agriculture, & Natural Resources): Senator Lovelett, prime sponsor; and Rob Sendak and Owen Rowe, Washington State Parks and Recreation Commission.

Persons Testifying (Appropriations): None.

Persons Signed In To Testify But Not Testifying (Rural Development, Agriculture, & Natural Resources): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.