
SENATE BILL 5322

State of Washington

69th Legislature

2025 Regular Session

By Senators Chapman, J. Wilson, MacEwen, Hasegawa, and Nobles

Read first time 01/17/25. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to addressing the impacts of burrowing shrimp on
2 bottom culture shellfish farming through integrated pest management
3 research; reenacting and amending RCW 43.79A.040 and 43.79A.040;
4 adding new sections to chapter 15.85 RCW; creating a new section;
5 providing an effective date; and providing expiration dates.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that in 2014,
8 shellfish growers were dealt a significant setback when they lost
9 their primary tool for controlling burrowing shrimp infestations in
10 coastal estuaries. Burrowing shrimp in high densities pose a
11 significant threat to shellfish farming operations and the
12 surrounding aquatic ecosystem, causing damage to shellfish growing
13 areas, negatively impacting productivity, and eliminating the growth
14 of native eelgrass which provides essential habitat for salmonids and
15 Dungeness crab, among other species.

16 (2) In addition, the legislature finds that since 1963, a control
17 method developed in collaboration with the Washington state
18 department of fish and wildlife had been effectively utilized.
19 However, the phased-out use of carbaryl and the denial of a permit to
20 use imidacloprid by the Washington state department of ecology left
21 growers without crucial pest control measures. Burrowing shrimp

1 infestations on shellfish grounds has led to a reduction in growing
2 operations due to the absence of an effective control tool, and
3 despite persistent efforts a viable alternative remains elusive.

4 (3) To address this ongoing crisis, the legislature intends to
5 create an ongoing research program within the Washington state
6 department of agriculture and fund research into new and innovative
7 control methods for burrowing shrimp infestations. To support this
8 program, the legislature intends to secure dedicated funding in the
9 amount of \$2,000,000 each biennium from the model toxics control act
10 account.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 15.85
12 RCW to read as follows:

13 (1) The department of agriculture shall establish and administer
14 an integrated pest management research program that focuses on
15 addressing the impacts of burrowing shrimp on bottom culture
16 shellfish farming. The program must work towards the following
17 objectives:

18 (a) Support and recommend funding for research efforts focused on
19 enhancing the resilience and productivity of shellfish farming and
20 the marine ecosystem in the face of burrowing shrimp infestations.

21 (b) Facilitate and enhance collaboration between researchers,
22 shellfish farmers, regulatory agencies, and relevant stakeholders to
23 ensure permanent, practical, and effective solutions.

24 (2) To accomplish its objectives, the program must do the
25 following:

26 (a) Solicit researchers with expertise in marine biology,
27 agriculture, ecology, engineering, and related fields to submit
28 proposals for burrowing shrimp control research projects.

29 (b) Identify and provide ground for controlled research that
30 explores diverse control methods including both chemical and
31 mechanical control.

32 (c) Identify funding mechanisms for future equipment needs based
33 on tool and technology development.

34 (d) Provide permitting assistance for shellfish growers to use
35 identified control methods.

36 (3) The governing board created in section 3 of this act is
37 responsible for reviewing research proposals, ensuring transparency
38 and accountability in implementing the program, and directing the
39 department of agriculture on the expenditure of research grant funds.

1 (4) Research expenditures may only be spent on projects that
2 support control of burrowing shrimp in Willapa Bay and Grays Harbor.
3 Any control method that has been demonstrated as ineffective in past
4 studies is not eligible for funding.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 15.85
6 RCW to read as follows:

7 (1) The director of the department of agriculture, in
8 collaboration with legislators representing legislative districts
9 that border the Pacific Ocean and an association that supports oyster
10 growers in the Willapa Bay and Grays Harbor region, shall establish a
11 governing board consisting of representatives from the following
12 entities to oversee the research program established in section 2 of
13 this act:

14 (a) One member each from the departments of agriculture, ecology,
15 natural resources, fish and wildlife, and commerce, and the state
16 conservation commission;

17 (b) Five shellfish growers of varying sizes located in the
18 Willapa Bay and Grays Harbor region;

19 (c) Two shellfish processors located in the Willapa Bay and Grays
20 Harbor region;

21 (d) Shoalwater Bay Indian tribe;

22 (e) The executive director of an association supporting oyster
23 growers in the Willapa Bay and Grays Harbor region;

24 (f) One member representing a nonprofit organization that
25 develops and disseminates scientific and technical shellfish-related
26 environmental and health and safety information; and

27 (g) One member from an ecosystem-based management collaborative
28 in the Willapa Bay and Grays Harbor area, to serve in an ex officio
29 capacity.

30 (2) The governing board must identify an objective and effective
31 facilitator to moderate meetings and serve as an additional ex
32 officio member.

33 (3) Members of the governing board must have a clear stake or
34 vested interest in the preservation and sustainability of the
35 shellfish industry, be knowledgeable about the impacts of burrowing
36 shrimp on shellfish farming, and have a special interest in
37 identifying tools to control burrowing shrimp with an emphasis on
38 bottom culture shellfish farming.

1 (4) The governing board must meet monthly and implement
2 discussion parameters to ensure productive and efficient meetings
3 that focus on bottom culture shellfish farming in coastal estuaries.
4 The governing board must establish a consensus decision-making
5 process whereby the participants develop and decide on proposals with
6 the goal of achieving broad acceptance. In the absence of consensus
7 on any proposal before the governing board, the proposal may be
8 approved by a simple majority of appointed governing board members.

9 (5) Governing board members are eligible for reimbursement for
10 subsistence, lodging, and travel expenses incurred in the performance
11 of their duties pursuant to RCW 43.03.050.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 15.85
13 RCW to read as follows:

14 The burrowing shrimp research account is created in the custody
15 of the state treasurer. All receipts from legislative transfers,
16 gifts, grants, and federal funds must be deposited into the account.
17 It is the intent of the legislature to appropriate in the omnibus
18 appropriations act \$2,000,000 per biennium from the model toxics
19 control operating account into the burrowing shrimp research account.
20 Expenditures from the account may be used only for the burrowing
21 shrimp research program. Only the director of the department of
22 agriculture or the director's designee may authorize expenditures
23 from the account. The account is subject to allotment procedures
24 under chapter 43.88 RCW, but an appropriation is not required for
25 expenditures.

26 **Sec. 5.** RCW 43.79A.040 and 2024 c 327 s 16 and 2024 c 168 s 10
27 are each reenacted and amended to read as follows:

28 (1) Money in the treasurer's trust fund may be deposited,
29 invested, and reinvested by the state treasurer in accordance with
30 RCW 43.84.080 in the same manner and to the same extent as if the
31 money were in the state treasury, and may be commingled with moneys
32 in the state treasury for cash management and cash balance purposes.

33 (2) All income received from investment of the treasurer's trust
34 fund must be set aside in an account in the treasury trust fund to be
35 known as the investment income account.

36 (3) The investment income account may be utilized for the payment
37 of purchased banking services on behalf of treasurer's trust funds
38 including, but not limited to, depository, safekeeping, and

1 disbursement functions for the state treasurer or affected state
2 agencies. The investment income account is subject in all respects to
3 chapter 43.88 RCW, but no appropriation is required for payments to
4 financial institutions. Payments must occur prior to distribution of
5 earnings set forth in subsection (4) of this section.

6 (4)(a) Monthly, the state treasurer must distribute the earnings
7 credited to the investment income account to the state general fund
8 except under (b), (c), and (d) of this subsection.

9 (b) The following accounts and funds must receive their
10 proportionate share of earnings based upon each account's or fund's
11 average daily balance for the period: The 24/7 sobriety account, the
12 Washington promise scholarship account, the Gina Grant Bull memorial
13 legislative page scholarship account, the Rosa Franklin legislative
14 internship program scholarship account, the Washington advanced
15 college tuition payment program account, the Washington college
16 savings program account, the accessible communities account, the
17 Washington achieving a better life experience program account, the
18 Washington career and college pathways innovation challenge program
19 account, the community and technical college innovation account, the
20 agricultural local fund, the American Indian scholarship endowment
21 fund, the behavioral health loan repayment and scholarship program
22 account, the Billy Frank Jr. national statuary hall collection fund,
23 the foster care scholarship endowment fund, the foster care endowed
24 scholarship trust fund, the contract harvesting revolving account,
25 the Washington state combined fund drive account, the commemorative
26 works account, the county 911 excise tax account, the county road
27 administration board emergency loan account, the toll collection
28 account, the developmental disabilities endowment trust fund, the
29 energy account, the energy facility site evaluation council account,
30 the fair fund, the family and medical leave insurance account, the
31 Fern Lodge maintenance account, the fish and wildlife federal lands
32 revolving account, the natural resources federal lands revolving
33 account, the food animal veterinarian conditional scholarship
34 account, the forest health revolving account, the fruit and vegetable
35 inspection account, the educator conditional scholarship account, the
36 game farm alternative account, the GET ready for math and science
37 scholarship account, the Washington global health technologies and
38 product development account, the grain inspection revolving fund, the
39 Washington history day account, the industrial insurance rainy day
40 fund, the juvenile accountability incentive account, the law

1 enforcement officers' and firefighters' plan 2 expense fund, the
2 local tourism promotion account, the low-income home rehabilitation
3 account, the medication for people living with HIV rebate revenue
4 account, the homeowner recovery account, the multiagency permitting
5 team account, the northeast Washington wolf-livestock management
6 account, the pollution liability insurance program trust account, the
7 produce railcar pool account, the public use general aviation airport
8 loan revolving account, the regional transportation investment
9 district account, the rural rehabilitation account, the Washington
10 sexual assault kit account, the stadium and exhibition center
11 account, the youth athletic facility account, the self-insurance
12 revolving fund, the children's trust fund, the Washington horse
13 racing commission Washington bred owners' bonus fund and breeder
14 awards account, the Washington horse racing commission class C purse
15 fund account, the individual development account program account, the
16 Washington horse racing commission operating account, the life
17 sciences discovery fund, the Washington state library-archives
18 building account, the reduced cigarette ignition propensity account,
19 the center for deaf and hard of hearing youth account, the school for
20 the blind account, the Millersylvania park trust fund, the public
21 employees' and retirees' insurance reserve fund, the school
22 employees' benefits board insurance reserve fund, the public
23 employees' and retirees' insurance account, the school employees'
24 insurance account, the long-term services and supports trust account,
25 the radiation perpetual maintenance fund, the Indian health
26 improvement reinvestment account, the department of licensing tuition
27 recovery trust fund, the student achievement council tuition recovery
28 trust fund, the tuition recovery trust fund, the industrial insurance
29 premium refund account, the mobile home park relocation fund, the
30 natural resources deposit fund, the Washington state health insurance
31 pool account, the federal forest revolving account, the Washington
32 saves administrative treasury trust account, the burrowing shrimp
33 research account, and the library operations account.

34 (c) The following accounts and funds must receive 80 percent of
35 their proportionate share of earnings based upon each account's or
36 fund's average daily balance for the period: The advance right-of-way
37 revolving fund, the advanced environmental mitigation revolving
38 account, the federal narcotics asset forfeitures account, the high
39 occupancy vehicle account, the local rail service assistance account,
40 and the miscellaneous transportation programs account.

1 (d) Any state agency that has independent authority over accounts
2 or funds not statutorily required to be held in the custody of the
3 state treasurer that deposits funds into a fund or account in the
4 custody of the state treasurer pursuant to an agreement with the
5 office of the state treasurer shall receive its proportionate share
6 of earnings based upon each account's or fund's average daily balance
7 for the period.

8 (5) In conformance with Article II, section 37 of the state
9 Constitution, no trust accounts or funds shall be allocated earnings
10 without the specific affirmative directive of this section.

11 **Sec. 6.** RCW 43.79A.040 and 2024 c 327 s 17 and 2024 c 168 s 11
12 are each reenacted and amended to read as follows:

13 (1) Money in the treasurer's trust fund may be deposited,
14 invested, and reinvested by the state treasurer in accordance with
15 RCW 43.84.080 in the same manner and to the same extent as if the
16 money were in the state treasury, and may be commingled with moneys
17 in the state treasury for cash management and cash balance purposes.

18 (2) All income received from investment of the treasurer's trust
19 fund must be set aside in an account in the treasury trust fund to be
20 known as the investment income account.

21 (3) The investment income account may be utilized for the payment
22 of purchased banking services on behalf of treasurer's trust funds
23 including, but not limited to, depository, safekeeping, and
24 disbursement functions for the state treasurer or affected state
25 agencies. The investment income account is subject in all respects to
26 chapter 43.88 RCW, but no appropriation is required for payments to
27 financial institutions. Payments must occur prior to distribution of
28 earnings set forth in subsection (4) of this section.

29 (4)(a) Monthly, the state treasurer must distribute the earnings
30 credited to the investment income account to the state general fund
31 except under (b), (c), and (d) of this subsection.

32 (b) The following accounts and funds must receive their
33 proportionate share of earnings based upon each account's or fund's
34 average daily balance for the period: The 24/7 sobriety account, the
35 Washington promise scholarship account, the Gina Grant Bull memorial
36 legislative page scholarship account, the Rosa Franklin legislative
37 internship program scholarship account, the Washington advanced
38 college tuition payment program account, the Washington college
39 savings program account, the accessible communities account, the

1 Washington achieving a better life experience program account, the
2 Washington career and college pathways innovation challenge program
3 account, the community and technical college innovation account, the
4 agricultural local fund, the American Indian scholarship endowment
5 fund, the behavioral health loan repayment and scholarship program
6 account, the Billy Frank Jr. national statuary hall collection fund,
7 the foster care scholarship endowment fund, the foster care endowed
8 scholarship trust fund, the contract harvesting revolving account,
9 the Washington state combined fund drive account, the commemorative
10 works account, the county 911 excise tax account, the county road
11 administration board emergency loan account, the toll collection
12 account, the developmental disabilities endowment trust fund, the
13 energy account, the energy facility site evaluation council account,
14 the fair fund, the family and medical leave insurance account, the
15 Fern Lodge maintenance account, the fish and wildlife federal lands
16 revolving account, the natural resources federal lands revolving
17 account, the food animal veterinarian conditional scholarship
18 account, the forest health revolving account, the fruit and vegetable
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20 game farm alternative account, the GET ready for math and science
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22 product development account, the grain inspection revolving fund, the
23 Washington history day account, the industrial insurance rainy day
24 fund, the juvenile accountability incentive account, the law
25 enforcement officers' and firefighters' plan 2 expense fund, the
26 local tourism promotion account, the low-income home rehabilitation
27 account, the medication for people living with HIV rebate revenue
28 account, the homeowner recovery account, the multiagency permitting
29 team account, the northeast Washington wolf-livestock management
30 account, the produce railcar pool account, the public use general
31 aviation airport loan revolving account, the regional transportation
32 investment district account, the rural rehabilitation account, the
33 Washington sexual assault kit account, the stadium and exhibition
34 center account, the youth athletic facility account, the self-
35 insurance revolving fund, the children's trust fund, the Washington
36 horse racing commission Washington bred owners' bonus fund and
37 breeder awards account, the Washington horse racing commission class
38 C purse fund account, the individual development account program
39 account, the Washington horse racing commission operating account,
40 the life sciences discovery fund, the Washington state library-

1 archives building account, the reduced cigarette ignition propensity
2 account, the center for deaf and hard of hearing youth account, the
3 school for the blind account, the Millersylvania park trust fund, the
4 public employees' and retirees' insurance reserve fund, the school
5 employees' benefits board insurance reserve fund, the public
6 employees' and retirees' insurance account, the school employees'
7 insurance account, the long-term services and supports trust account,
8 the radiation perpetual maintenance fund, the Indian health
9 improvement reinvestment account, the department of licensing tuition
10 recovery trust fund, the student achievement council tuition recovery
11 trust fund, the tuition recovery trust fund, the industrial insurance
12 premium refund account, the mobile home park relocation fund, the
13 natural resources deposit fund, the Washington state health insurance
14 pool account, the federal forest revolving account, the Washington
15 saves administrative treasury trust account, the burrowing shrimp
16 research account, and the library operations account.

17 (c) The following accounts and funds must receive 80 percent of
18 their proportionate share of earnings based upon each account's or
19 fund's average daily balance for the period: The advance right-of-way
20 revolving fund, the advanced environmental mitigation revolving
21 account, the federal narcotics asset forfeitures account, the high
22 occupancy vehicle account, the local rail service assistance account,
23 and the miscellaneous transportation programs account.

24 (d) Any state agency that has independent authority over accounts
25 or funds not statutorily required to be held in the custody of the
26 state treasurer that deposits funds into a fund or account in the
27 custody of the state treasurer pursuant to an agreement with the
28 office of the state treasurer shall receive its proportionate share
29 of earnings based upon each account's or fund's average daily balance
30 for the period.

31 (5) In conformance with Article II, section 37 of the state
32 Constitution, no trust accounts or funds shall be allocated earnings
33 without the specific affirmative directive of this section.

34 NEW SECTION. **Sec. 7.** Section 5 of this act expires July 1,
35 2030.

36 NEW SECTION. **Sec. 8.** Section 6 of this act takes effect July 1,
37 2030.

1 NEW SECTION. **Sec. 9.** Sections 1 through 4 and 6 of this act
2 expire July 1, 2035.

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