

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1389

Chapter 302, Laws of 1991
(partial veto)

52nd Legislature
1991 Regular Session

FRESHWATER AQUATIC WEED CONTROL

EFFECTIVE DATE: 7/1/91

Passed by the House March 19, 1991
Yeas 87 Nays 9

JOE KING
**Speaker of the
House of Representatives**

Passed by the Senate April 16, 1991
Yeas 33 Nays 14

JOEL PRITCHARD
President of the Senate

Approved May 20, 1991, with
the exception of section 5,
which is vetoed.

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1389** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 20, 1991 - 2:11 p.m.

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE HOUSE BILL 1389

AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Environmental Affairs (originally sponsored by Representatives Fraser, Winsley, Rust and Belcher).

Read first time February 22, 1991.

1 AN ACT Relating to aquatic plants; adding new sections to chapter
2 43.21A RCW; adding a new section to chapter 46.16 RCW; creating new
3 sections; providing an effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature hereby finds that
6 Eurasian water milfoil and other freshwater aquatic weeds can adversely
7 affect fish populations, reduce habitat for desirable plant and
8 wildlife species, and decrease public recreational opportunities. The
9 legislature further finds that the spread of freshwater aquatic weeds
10 is a state-wide problem and requires a coordinated response among state
11 agencies, local governments, and the public. It is therefore the
12 intent of the legislature to establish a funding source to reduce the
13 propagation of Eurasian water milfoil and other freshwater aquatic
14 weeds and to manage the problems created by such freshwater aquatic
15 plants.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21A RCW
2 to read as follows:

3 The freshwater aquatic weeds account is hereby created in the state
4 treasury. Expenditures from this account may only be used as provided
5 in section 4 of this act. Moneys in the account may be spent only
6 after appropriation.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.16 RCW
8 to read as follows:

9 In addition to any other fee required under this chapter, boat
10 trailers shall annually pay a fee of three dollars. The proceeds of
11 this fee shall be deposited in the freshwater aquatic weeds account
12 under section 2 of this act.

13 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.21A RCW
14 to read as follows:

15 Funds in the freshwater aquatic weeds account may be appropriated
16 to the department of ecology to develop a freshwater aquatic weeds
17 management program to:

18 (1) Issue grants to cities, counties, and state agencies to
19 prevent, remove, reduce, or manage excessive freshwater aquatic weeds.
20 Such grants shall only be issued for lakes, rivers, or streams with a
21 public boat launching ramp. The department shall give preference to
22 projects having matching funds or in-kind services;

23 (2) Develop public education programs relating to preventing the
24 propagation and spread of freshwater aquatic weeds;

25 (3) Provide technical assistance to local governments and citizen
26 groups; and

27 (4) Fund demonstration or pilot projects consistent with the
28 purposes of this section.

1 *

2 NEW SECTION. Sec. 5. *If specific funding for the purposes of*
3 *this act, referencing this act by bill number, is not provided by June*
4 *30, 1991, in the omnibus appropriations act, this act shall be null and*
5 *void.*

6 *Sec. 5 was vetoed, see message at end of chapter.

7 NEW SECTION. Sec. 6. This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and shall take
10 effect July 1, 1991, except section 3 of this act shall be effective
11 for vehicle registrations that expire August 31, 1992, and thereafter.

 Passed the House March 19, 1991.

 Passed the Senate April 16, 1991.

 Approved by the Governor May 20, 1991, with the exception of
 certain items which were vetoed.

 Filed in Office of Secretary of State May 20, 1991.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 5,
3 Engrossed Substitute House Bill No. 1389 entitled:

4 "AN ACT Relating to aquatic plants."

5 This bill assesses an annual \$3.00 surcharge on boat trailers in
6 order to fund a program to address the serious environmental damage and
7 loss of recreational opportunities caused by freshwater aquatic weeds.
8 These problem weeds are difficult to check because these plants are
9 usually non-native and lack any natural biological controls. Boats and
10 trailers have been identified as a source of the spread of such problem
11 weeds and therefore the funding mechanism contained in this bill is
12 appropriately user-fee based.

13 While the legislature provided the funding mechanism, it neglected
14 to provide an appropriation for the expenditure of these funds. I
15 believe that establishing and funding of the freshwater aquatic weeds
16 account is an important first step in addressing the damage caused by
17 these weeds and will work with the legislature to provide the authority
18 necessary to begin program operations. For this reason, I have vetoed
19 section 5, the "null and void" clause, of Engrossed Substitute House
20 Bill No. 1389.

21 With the exception of section 5, Engrossed Substitute House Bill
22 No. 1389 is approved."