

FINAL BILL REPORT

SHB 1646

C 337 L 07

Synopsis as Enacted

Brief Description: Authorizing department of fish and wildlife employees to sample fish, wildlife, and shellfish.

Sponsors: By House Committee on Agriculture & Natural Resources (originally sponsored by Representative Blake).

House Committee on Agriculture & Natural Resources
Senate Committee on Natural Resources, Ocean & Recreation

Background:

The Washington Department of Fish and Wildlife (WDFW) is mandated to manage fish, shellfish, and wildlife in state waters and offshore waters. As part of this mandate, the WDFW is authorized to regulate many aspects of fishing, harvesting, and hunting. To carry out its duties, the WDFW has the authority to inspect fish, wildlife, shellfish, and seaweed at check stations for requirements such as licenses, permits, tags, stamps, or catch record cards. A person who prevents WDFW employees from carrying out duties is guilty of unlawful interfering in the WDFW operations, a gross misdemeanor.

A retail fish seller is guilty of a misdemeanor if the seller fails to maintain sufficient records at the location where the fish or shellfish are sold.

Summary:

Employees of the WDFW are given express authority to collect samples of fish, wildlife, and shellfish located on public lands or state waters. To collect samples, employees of the WDFW may board vessels in state waters with the permission of the owner or agent of the vessel. If permission is denied, the WDFW employee, working with an enforcement officer, may apply for a search warrant in order to board the vessel and take samples of fish, wildlife, or shellfish. The WDFW employees are not authorized to collect samples of private sector cultured aquatic products. If a person prevents or interferes with a WDFW employee collecting samples of fish, wildlife, or shellfish, the person is guilty of interfering in the WDFW operations.

A person who sells fish or shellfish at retail, stores or holds fish or shellfish for another in exchange for valuable consideration, ships fish or shellfish in exchange for valuable consideration, or brokers fish or shellfish in exchange for valuable consideration must keep and maintain records of each receipt of fish or shellfish. Records of the receipt of fish or shellfish must be in the English language and must be maintained for three years from the date the fish or shellfish are received, shipped, or brokered. Failure to keep and maintain these records is a misdemeanor.

Votes on Final Passage:

House	96	1	
Senate	46	3	(Senate amended)
House	92	1	(House concurred)

Effective: July 22, 2007