

CERTIFICATION OF ENROLLMENT

SENATE BILL 6401

Chapter 21, Laws of 2016

64th Legislature
Veto Override 2016 1st Special Session

SECONDARY COMMERCIAL FISH RECEIVERS--RECORD KEEPING--LOCATION

EFFECTIVE DATE: 6/28/2016

Passed by the Senate February 12, 2016
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Passed by the House March 2, 2016
Yeas 96 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6401** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

March 30, 2016

Vetoed March 10, 2016 10:24 PM

JAY INSLEE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6401

Passed Legislature - Veto Override 2016 1st Special Session

State of Washington

64th Legislature

2016 Regular Session

By Senators Rolfes and Warnick; by request of Department of Fish and Wildlife

Read first time 01/19/16. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to recordkeeping requirements of secondary
2 commercial fish receivers; and amending RCW 77.15.568.

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

4 **Sec. 1.** RCW 77.15.568 and 2009 c 333 s 19 are each amended to
5 read as follows:

6 (1) A person is guilty of a secondary commercial fish receiver's
7 failure to account for commercial harvest if:

8 (a) The person sells fish or shellfish at retail, stores or holds
9 fish or shellfish for another in exchange for valuable consideration, or
10 ships fish or shellfish in exchange for valuable consideration, or
11 brokers fish or shellfish in exchange for valuable consideration;

12 (b) The fish or shellfish were required to be entered on a
13 Washington fish-receiving ticket or a Washington aquatic farm
14 production annual report; and

15 (c) The person fails to maintain records of each receipt of fish
16 or shellfish, as required under subsections (3) through (5) of this
17 section, at:

18 (i) The location where the fish or shellfish are being sold((~~τ~~))
19 or at the location where the fish or shellfish are being stored or
20 held((~~τ~~)); or ((~~at~~))

1 (ii) The principal place of business of the shipper or broker if
2 the fish or shellfish are not in possession.

3 (2) This section applies to a wholesale fish dealer acting in the
4 capacity of a broker. However, this section does not apply to a
5 wholesale fish dealer acting in the capacity of a wholesale fish
6 dealer, to a fisher selling under a direct retail sale endorsement,
7 or to a registered aquatic farmer.

8 (3) Records of the receipt of fish or shellfish required to be
9 kept under this section must be in the English language and be
10 maintained for three years from the date fish or shellfish are
11 received, shipped, or brokered.

12 (4) Records maintained by persons that retail or broker must
13 include the following:

14 (a) The name, address, and phone number of the wholesale fish
15 dealer, fisher selling under a direct retail sale endorsement, or
16 aquatic farmer or shellstock shipper from whom the fish or shellfish
17 were purchased or received;

18 (b) The Washington fish-receiving ticket number documenting
19 original receipt or aquatic farm production quarterly report
20 documenting production, if available;

21 (c) The date of purchase or receipt; and

22 (d) The amount and species of fish or shellfish purchased or
23 received.

24 (5) Records maintained by persons that store, hold, or ship fish
25 or shellfish for others must state the following:

26 (a) The name, address, and phone number of the person and
27 business from whom the fish or shellfish were received;

28 (b) The date of receipt; and

29 (c) The amount and species of fish or shellfish received.

30 (6) A secondary commercial fish receiver's failure to account for
31 commercial harvest is a misdemeanor.

Passed by the Senate February 12, 2016.

Passed by the House March 2, 2016.

Vetoed by the Governor March 10, 2016.

Filed in Office of Secretary of State March 30, 2016.

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