

# HOUSE BILL REPORT

## SB 6401

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**As Passed House:**  
March 2, 2016

**Title:** An act relating to recordkeeping requirements of secondary commercial fish receivers.

**Brief Description:** Concerning recordkeeping requirements of secondary commercial fish receivers.

**Sponsors:** Senators Rolfes and Warnick; by request of Department of Fish and Wildlife.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 2/23/16 [DP].

**Floor Activity:**

Passed House: 3/2/16, 96-0.

**Brief Summary of Bill**

- Contracts the requirement that secondary fish receivers must keep certain records regarding fish and shellfish either with the fish or shellfish or at their principal place of business, and specifies that the records may only be kept at the principal place of business if the fish or shellfish are no longer in the possession of the secondary fish receiver.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 11 members: Representatives Blake, Chair; Walkinshaw, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Hurst, Lytton, Orcutt, Pettigrew, Schmick, Stanford and Van De Wege.

**Staff:** Jason Callahan (786-7117).

**Background:**

A person who sells fish or shellfish at retail, stores fish or shellfish, ships fish or shellfish, or serves as a broker for transactions involving fish or shellfish is considered to be a secondary fish receiver. To conduct these business transactions lawfully, a secondary fish receiver is

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required to maintain certain records. The records include identifying information for the person who provided the fish or shellfish, the unique tracking number relating to the fish or shellfish, and information relating to the date of purchase and the quantity and species purchased. These records must be kept at the location where the fish or shellfish are being sold or held or at the principal place of business of the shipper or broker.

The crime of Secondary Commercial Fish Receivers Failure to Account for Commercial Harvest may be prosecuted if the secondary fish receiver fails to accurately maintain the required records or otherwise violates the duties of a secondary fish receiver. These violations are punishable as a misdemeanor.

**Summary of Bill:**

The requirement that secondary fish receivers must keep certain records regarding fish and shellfish either with the fish or shellfish or at their principal place of business is contracted to specify that the records may only be kept at the principal place of business if the fish or shellfish are no longer in the possession of the secondary fish receiver.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Washington has a vibrant illegal marketplace for poached seafood. It is necessary to make arrests and to seize illegal seafood for the Washington Department of Fish and Wildlife to be able to connect a poached animal with delivery to the market. The current law creates a loophole that allows a participant in the illegal marketplace to simply claim that the required paperwork exists but is just in a different location. It is especially important on human health and safety grounds to get poached bivalve shellfish out of the market because they could have been harvested from polluted waters and make people sick.

(Opposed) None.

**Persons Testifying:** Mike Censi, Department of Fish and Wildlife.

**Persons Signed In To Testify But Not Testifying:** None.