

# FINAL BILL REPORT

## HB 1972

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Synopsis as Enacted

**Brief Description:** Making a retail fish seller's failure to account for commercial harvest a misdemeanor.

**Sponsors:** By Representative Hatfield.

**House Committee on Fisheries, Ecology & Parks**  
**Senate Committee on Parks, Fish & Wildlife**

### **Background:**

The Department of Fish and Wildlife (Department) is authorized to enforce the civil and criminal sanctions that appear in the Fish and Wildlife Enforcement Code (Code). Misdemeanor violations of the Code are punishable by up to 90 days in jail and a fine of up to \$1,000. The Department is also directed to enforce the state's commercial fishing licensing laws.

Commercial fishers who wish to sell their product at retail or to a retailer must either hold a wholesale dealer's license or a direct retail endorsement. All fish that are commercially landed at a Washington port must be identified on a fish receiving ticket developed by the Department.

### **Summary:**

The misdemeanor of "retail fish seller's failure to account for commercial harvest" is created in the Code. A person may be found guilty of this criminal offense if:

- He or she sells fish or shellfish at retail;
- The product sold was required to be documented on a Department fish receiving ticket; and
- Sufficient records are not maintained that specify the name and license number of the wholesale dealer who sold the fish to the retailer, the date of the purchase, and the amount of product bought from the wholesale dealer.

A holder of a wholesale dealer's license, or a direct retail endorsement, may not be found guilty of this misdemeanor.

**Votes on Final Passage:**

House 94 0

Senate 49 0 (Senate amended)

House 91 0 (House concurred)

**Effective:** July 27, 2003