

SENATE BILL REPORT

SHB 1127

As Reported By Senate Committee On:
Parks, Fish & Wildlife, March 31, 2003

Title: An act relating to the selling of commercially harvested fish.

Brief Description: Concerning the direct retail sale of salmon, crab, and sturgeon.

Sponsors: House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Hatfield, Buck, Cooper, Blake, Pearson and Berkey).

Brief History:

Committee Activity: Parks, Fish & Wildlife: 3/24/03, 3/31/03 [DPA].

SENATE COMMITTEE ON PARKS, FISH & WILDLIFE

Majority Report: Do pass as amended.

Signed by Senators Oke, Chair; Sheahan, Vice Chair; Doumit, Esser, Jacobsen, Morton, Spanel and Swecker.

Staff: Victor Moon (786-7469)

Background: In 2002 the Legislature created the Direct Retail Endorsement as an optional add-on to a commercial salmon or crab license. Holders of a Direct Retail Endorsement are permitted to sell their salmon or crab catch directly to the retail market without first obtaining a wholesale dealer's license. Fishers opting for the endorsement are required to abide by all harvest requirements established by the Department of Fish and Wildlife, and must land their catch in the round.

The holders of Direct Retail Endorsements are not required to obtain permits or licenses from each county in which they sell their catch. However, prior to being issued a Direct Retail Endorsement, the fisher must provide to the department a signed letter from a county health department. The letter must indicate that the fisher has fulfilled all of the requirements related to that county's health rules and the statewide standards for food service operations. Before any sales can occur in a county that did not issue the required letter, the fisher must provide 48-hours notice and allow that county or a department employee to inspect the sales operations.

Most commercially caught fish is subject to the Enhanced Food Fish Excise Tax. This tax is paid by the fisher and is calculated as a percentage of the value of the fish at the point of landing.

Summary of Amended Bill: The scope of the Direct Retail Endorsement is expanded so that commercial fishers may sell all retail-eligible species directly to the retail market and to restaurants. Retail-eligible species is defined to mean salmon, sturgeon, and crab.

Commercially harvested retail-eligible species sold under a Direct Retail Endorsement are not required to be landed in the round.

The Fish and Wildlife Commission may require a fisher to notify the department up to 18 hours prior to conducting a direct retail sale, unless the commutative sales from the fisher's vessel that day will total less than \$150. The department is authorized to issue a Direct Retail Endorsement at any time, and not just at the time of license renewal.

The Enhanced Food Fish Excise Tax is directed to be calculated from the comparable sales value of similar fish at the port of landing.

Amended Bill Compared to Substitute Bill: The sale to retail establishments is clarified so they would be similar to restaurants and food sale businesses.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The direct retail sale endorsement has worked well but needs to be expanded and clarified based on the activities this last year.

Testimony Against: None.

Testified: Representative Hatfield, prime sponsor (pro); Irene Martin, commercial fisher (pro).