

SENATE BILL REPORT

HB 1972

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

Title: An act relating to the accounting of the commercial harvest of food fish.

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

Sponsors: Representative Hatfield.

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 and Swecker.

Staff: Vic Moon (786-7469)

Background: The Department of Fish and Wildlife is authorized to enforce the civil and criminal sanctions that appear in the Fish and Wildlife Enforcement 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 either 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 of Amended Bill: The misdemeanor of "retail fish seller's failure to account for commercial harvest" is created in the code. A person can be found guilty of this criminal offense if:

1. he or she sells fish or shellfish at retail;
2. the product sold was required to be documented on a department fish receiving ticket; and
3. 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 or fisher selling under a direct retail endorsement.

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

Amended Bill Compared to Original Bill: Language is clarified to include fishers selling under the direct retail endorsement.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The Department of Fish and Wildlife's authority to require reporting of fish sales needs to be addressed.

Testimony Against: None.

Testified: Representative Hatfield, prime sponsor (pro); Bruce Bjork, Department of Fish and Wildlife (pro).