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**SUBSTITUTE SENATE BILL 5872**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** Senate Committee on Parks, Fish & Wildlife (originally sponsored by Senators Oke and Doumit)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to the accounting of the commercial harvest of food  
2 fish; adding a new section to chapter 77.15 RCW; and prescribing  
3 penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.15 RCW  
6 to read as follows:

7 Since violation of rules of the department relating to the  
8 accounting of the commercial harvest of food fish, commercialized game  
9 fish, and shellfish result in damage to the resources of the state,  
10 persons selling such fish and shellfish at retail, including but not  
11 limited to stores, markets, and restaurants, must maintain sufficient  
12 records for the department to be able to ascertain the origin of the  
13 fish and shellfish in their possession.

14 (1) A retail fish seller is guilty of retail fish seller's failure  
15 to account for commercial harvest if the retail seller sells fish or  
16 shellfish at retail, the fish or shellfish were required to be entered  
17 on a Washington state fish receiving ticket, the seller is not a  
18 wholesale fish dealer or fisher selling under a direct retail sale

1 endorsement, and the seller fails to maintain sufficient records at the  
2 location where the fish or shellfish are being sold to determine the  
3 following:

4 (a) The name of the wholesale fish dealer or fisher selling under  
5 a direct retail sale endorsement from whom the fish were purchased;

6 (b) The wholesale fish dealer's license number or the number of the  
7 fisher's sale under a direct retail sale endorsement;

8 (c) The fish receiving ticket number documenting original receipt,  
9 if known;

10 (d) The date of purchase; and

11 (e) The amount of fish or shellfish originally purchased from the  
12 wholesale dealer or fisher selling under a direct retail sale  
13 endorsement.

14 (2) A retail fish seller's failure to account for commercial  
15 harvest is a misdemeanor.

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