
SENATE BILL 5306

State of Washington

65th Legislature

2017 Regular Session

By Senators Rolfes and Takko

Read first time 01/19/17. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to secondary commercial fish receivers; and
2 amending RCW 77.15.568.

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

4 **Sec. 1.** RCW 77.15.568 and 2016 1st sp.s. c 21 s 1 are each
5 amended to read as follows:

6 (1) A person is guilty of a secondary commercial fish receiver's
7 failure to account for commercial harvest if:

8 (a) The person sells fish or shellfish at retail, stores ~~((or))~~,
9 holds, or processes fish or shellfish ~~((for another))~~ in exchange for
10 valuable consideration, or brokers or ships fish or shellfish in
11 exchange for valuable consideration ~~((, or brokers fish or shellfish~~
12 ~~in exchange for valuable consideration))~~;

13 (b)(i) The fish or shellfish were required to be entered on a
14 Washington fish-receiving ticket or a Washington aquatic farm
15 production annual report; ~~((and))~~ or

16 (ii) The fish or shellfish are classified as fish or shellfish by
17 the department; and

18 (c) The person fails to maintain records of each receipt of fish
19 or shellfish, as required under subsections (3) through (5) of this
20 section, at:

1 (i) The location where the fish or shellfish are being sold or at
2 the location where the fish or shellfish are being stored or held; or
3 (ii) The principal place of business of the shipper or broker if
4 the fish or shellfish are not in possession.

5 ~~(2) ((This section applies to a wholesale fish dealer acting in~~
6 ~~the capacity of a broker. However, this section does not apply to a~~
7 ~~wholesale fish dealer acting in the capacity of a wholesale fish~~
8 ~~dealer, to a fisher selling under a direct retail sale endorsement,~~
9 ~~or to a registered aquatic farmer)) Wholesale fish buyers, limited~~
10 ~~fish sellers, and registered aquatic farmers are not required to~~
11 ~~comply with this section for fish or shellfish documented on fish~~
12 ~~tickets or aquatic farm production reports.~~

13 (3) Records of the receipt of fish or shellfish required to be
14 kept under this section must be in the English language and be
15 maintained for three years from the date fish or shellfish are
16 received, shipped, or brokered.

17 (4) Records maintained by persons that retail or broker fish or
18 shellfish, or that store, hold, or ship fish or shellfish for others
19 must include the following:

20 (a) The name, address, and phone number of the (~~wholesale fish~~
21 ~~dealer, fisher selling under a direct retail sale endorsement, or~~
22 ~~aquatic farmer or shellstock shipper)) person from whom the fish or
23 shellfish were purchased or received;~~

24 (b) (~~The Washington fish receiving ticket number documenting~~
25 ~~original receipt or aquatic farm production quarterly report~~
26 ~~documenting production, if available;~~

27 ~~(c))~~ The date of purchase or receipt;

28 (c) The state or country of origin if received from interstate or
29 foreign commerce; and

30 (d) The amount and species of fish or shellfish purchased or
31 received.

32 (5) (~~Records maintained by persons that store, hold, or ship~~
33 ~~fish or shellfish for others must state the following:~~

34 ~~(a) The name, address, and phone number of the person and~~
35 ~~business from whom the fish or shellfish were received;~~

36 ~~(b) The date of receipt; and~~

37 ~~(c) The amount and species of fish or shellfish received.~~

1 ~~(6)~~) A secondary commercial fish receiver's failure to account
2 for commercial harvest is a misdemeanor.

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