

# HOUSE BILL REPORT

## SHB 1214

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**As Passed House:**

March 4, 2005

**Title:** An act relating to food fish and shellfish commercial licenses.

**Brief Description:** Concerning food fish and shellfish commercial license requirements.

**Sponsors:** By House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Blake and Upthegrove).

**Brief History:**

**Committee Activity:**

Natural Resources, Ecology & Parks: 2/3/05, 2/4/05 [DPS].

**Floor Activity:**

Passed House: 3/4/05, 95-1.

**Brief Summary of Substitute Bill**

- Defines "deliver" from a commercial fishing vessel as the arrival at a place or port from offshore waters to waters within the state and arrivals from state or offshore waters.

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**HOUSE COMMITTEE ON NATURAL RESOURCES, ECOLOGY & PARKS**

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives B. Sullivan, Chair; Upthegrove, Vice Chair; Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; Blake, DeBolt, Dickerson, Eickmeyer, Hunt, Orcutt and Williams.

**Staff:** Jeff Olsen (786-7157).

**Background:**

The Department of Fish and Wildlife manages the commercial harvest of food fish, shellfish, and salmon. A nonlimited entry delivery license is required to deliver certain food fish or shellfish taken in offshore waters. A limited entry delivery license is required for delivering salmon or ocean pink shrimp taken in offshore waters and delivered to a port in the state. Offshore waters means marine waters of the Pacific Ocean outside the territorial boundaries of the state, including the marine waters of other states and countries.

An "emerging commercial fishery" is the commercial taking of a newly classified species of food fish or shellfish, the commercial taking of a classified species with gear not previously

used for that species, or the commercial taking of a classified species in an area from which that species has not been previously taken. The purpose of the designation is to allow scientific data to be collected on fishery impacts.

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**Summary of Substitute Bill:**

Under current law, a person is required to obtain a license from the Department of Fish and Wildlife to "deliver" food fish or shellfish, salmon, or ocean pink shrimp taken in offshore waters. "Deliver" from a commercial vessel is defined as arrival at a place or port, and includes arrivals from offshore waters to waters within the state and arrivals from state or offshore waters. Fish or shellfish taken under an emerging commercial fishery are not subject to the nonlimited entry delivery license requirement.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** Certain vessels from Oregon have been launching in Washington, fishing off the Washington coast, and bringing their catch back to Oregon. This activity circumvents the intent of the limited entry program, does not account for the fish catch, and results in no landing taxes being paid. The WDFW lost a recent court case due to some confusion over an existing definition. All west coast states have implemented limited entry programs to prevent overcapitalization of the fishing fleet, protect the resource, and maintain a viable fishery. This bill would clarify the definitions in the existing language and protect Washington's commercial troll fleet.

**Testimony Against:** None.

**Persons Testifying:** Representative Blake, prime sponsor; Richard Good and Greg Mueller, Washington Troller Association; and Bruce Bjork and Mike Cenci, Washington Department of Fish and Wildlife.

**Persons Signed In To Testify But Not Testifying:** None.