
HOUSE BILL 2496

State of Washington

53rd Legislature

1994 Regular Session

By Representatives King and Fuhrman

Read first time 01/17/94. Referred to Committee on Fisheries & Wildlife.

1 AN ACT Relating to food fish; and amending RCW 75.08.245.

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

3 **Sec. 1.** RCW 75.08.245 and 1988 c 115 s 1 are each amended to read
4 as follows:

5 (1) The legislature finds that the department sells surplus eggs
6 every year as part of the state hatchery salmon production cycle. The
7 legislature has authorized the department to sell surplus salmon eggs
8 to any person, at any cost, for use in cultivation of salmon in any
9 location. The legislature finds that surplus salmon eggs are a
10 valuable commodity and should be sold in a manner that reflects their
11 maximum value to bring needed income to state government.

12 The legislature finds that the majority of subsidized state eggs
13 are exported to foreign private aquatic farmers who use them to produce
14 pen-reared salmon that compete in international markets with Washington
15 raised farmed salmon and salmon harvested by commercial fishers.

16 The legislature further finds that the implementation of this law
17 has an adverse impact on private aquatic farmers in the state. Private
18 aquatic farmers have attempted to develop improved commercial salmon
19 broodstock for commercial egg production and have been unsuccessful

1 because the below market price of state eggs, resulting from not being
2 sold on a competitive bid basis, has degraded the market price so
3 dramatically that development of a captive broodstock is not
4 economically feasible.

5 Therefore, it is the intent of the legislature that live surplus
6 salmon eggs and other live reproductive salmon materials produced by
7 the state shall be sold on a competitive bid basis to raise needed
8 income for the state and bring a price in parity with the average sale
9 price for salmon eggs produced elsewhere.

10 (2) The department may (~~supply, at a reasonable charge,~~) sell, on
11 a competitive bid basis, live surplus salmon eggs and other live
12 reproductive salmon materials to a person for use in the cultivation of
13 salmon. "Live reproductive salmon materials" means salmon sperm,
14 gametes, and gonades. The department shall not intentionally create a
15 surplus of salmon to provide live eggs or live reproductive salmon
16 materials for sale. The department shall only sell live salmon eggs or
17 live reproductive salmon materials from stocks that are not suitable
18 for salmon population rehabilitation or enhancement in state waters in
19 Washington. All sales or transfers shall be consistent with the
20 department's egg transfer (~~and~~), aquaculture disease control
21 regulations, and other relevant rules as now existing or hereafter
22 amended. Prior to department determination that live eggs or other
23 live reproductive salmon materials of a salmon stock are surplus and
24 available for sale, the department shall assess the productivity of
25 each watershed that is suitable for receiving live eggs.

26 (~~The salmon enhancement advisory council, created in RCW~~
27 75.48.120, shall consider egg sales at each meeting.)) The department
28 shall develop procedures, through rules, for competitive bidding on
29 surplus salmon egg and other reproductive salmon materials sales, to
30 include establishing a fee to collect the cost of the competitive bid
31 procedures to be paid by the successful purchaser at the competitive
32 bid sale.

33 (3) An aggrieved person may bring a legal action, to include
34 injunctive relief, to enforce this section.

35 (4) Volunteer cooperatives set out under chapter 75.52 RCW are
36 exempt from the requirements of this section.

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