

HOUSE BILL REPORT

HB 2537

As Passed Legislature

Title: An act relating to sanitary control of shellfish.

Brief Description: Regulating sanitary control of shellfish.

Sponsors: Representatives Butler, Romero, Buck, Hatfield and Kessler; by request of Department of Health.

Brief History:

Committee Activity:

Natural Resources: 1/27/98, 2/3/98 [DP].

Floor Activity:

Passed House: 2/10/98, 96-0.

Passed Legislature.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass. Signed by 11 members: Representatives Buck, Chairman; Sump, Vice Chairman; Thompson, Vice Chairman; Regala, Ranking Minority Member; Butler, Assistant Ranking Minority Member; Alexander; Anderson; Chandler; Eickmeyer; Hatfield and Pennington.

Staff: Bill Lynch (786-7092).

Background: Any person who operates a shellfish operation must hold a license issued by the Department of Health. The license is issued only for the person named in the application for that shellfish operation and is not transferable unless the director of the department approves. A "shellfish operation" includes any activity related to harvesting, transporting, or processing of shellfish in commercial quantities or for sale for human consumption.

Any person who culls, shucks, or packs shellfish in the state in a commercial quantity or for sale for human consumption must also hold a certificate of approval from the Department of Health for the particular shellfish growing area or shellfish operation. The certificate of approval is issued for a time period not to exceed one year, and may be revoked at any time the establishment or operation does not comply with the sanitary requirements adopted by the State Board of Health.

There have been recent incidents of individuals, who have had their licenses and certificates of approval revoked, repeatedly reapplying for licenses and certificates of approval under the guise of other people. There are no penalties which attach when a person, whose license or certificate of approval is revoked, suspended, or denied, actively participates in shellfish operations.

Summary of Bill: If a person's certificate of approval or license to harvest, transport, process, cull, shuck, pack, or ship shellfish in commercial quantities or for sale for human consumption is suspended, revoked or denied because that person violated a provision of law regulating the sanitary control of shellfish, then that person is prohibited from participating to any degree in a licensed or certified shellfish operation to any degree, including being in charge of, being employed by, or managing the shellfish operation. In addition, a person whose certificate of approval or license is suspended, revoked or denied due to a violation of the shellfish laws may not participate in the harvesting, shucking, packing, or shipping of shellfish in commercial quantities or for sale for human consumption. These prohibitions apply only during the time period in which the person's license or certificate of approval is denied, revoked, or suspended.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Washington has a worldwide reputation for safe shellfish. There are few instances when people have become ill from eating shellfish from Washington. A few operators working outside the law can result in both people becoming seriously ill and people losing confidence in the entire industry. All stakeholders agree this is necessary. This bill provides fairness to those businesses which operate within the law.

Testimony Against: None.

Testified: Representative Patty Butler, prime sponsor (pro); Maryanne Guichard, Department of Health (pro); Bill Taylor, Pacific Coast Oyster Growers (pro); and Bruce Ford, Department of Fish and Wildlife (pro).