

FINAL BILL REPORT

HB 2537

C 44 L 98

Synopsis as Enacted

Brief Description: Regulating sanitary control of shellfish.

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

House Committee on Natural Resources
Senate Committee on Natural Resources & Parks

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 are, however, no penalties that attach when a person, whose license or certificate of approval is revoked, suspended, or denied, actively participates in shellfish operations.

Summary: 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, 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.

Votes on Final Passage:

House 96 0
Senate 44 0

Effective: June 11, 1998