
**Fisheries, Ecology & Parks
Committee**

HB 1972

Brief Description: Making a commercial fish seller's failure to account for commercial harvest a misdemeanor.

Sponsors: Representative Hatfield.

Brief Summary of Bill

- Creates the misdemeanor of retail fish seller's failure to account for commercial harvest.

Hearing Date: 3/4/03

Staff: Jason Callahan (786-7117).

Background:

The Department of Fish and Wildlife (Department) is authorized to enforce the civil and criminal sanctions that appear in the Fish and Wildlife Enforcement Code (Code) (RCW Chapter 77.15). Misdemeanor violations of the Code are punishable by up to 90 days in jail and a fine of up to \$1,000 (RCW 9.92.030). The Department is also directed to enforce the state's commercial fishing licensing laws (RCW Chapter 77.65).

Commercial fishers who wish to sell their product either at retail, or to a retailer, must either hold a wholesale dealer's license (RCW 77.65.280) or a direct retail endorsement (RCW 77.65.510). All fish that are commercially landed at a Washington port must be identified on a fish receiving ticket developed by the Department.

Summary of Bill:

The misdemeanor of "retail fish seller's failure to account for commercial harvest" is created in the Fish and Wildlife Enforcement Code. A person can be found guilty of this criminal offense if:

1. He or she sells fish or shellfish at retail;

2. The product sold was required to be documented on a Department fish receiving ticket; and
3. Sufficient records are not maintained that specify the name and license number of the wholesale dealer who sold the fish to the retailer, the date of the purchase, and the amount of product bought from the wholesale dealer.

A holder of a wholesale dealer's license, or a direct retail endorsement, may not be found guilty of this misdemeanor.

Appropriation: None.

Fiscal Note: Not Requested.

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