

# SENATE BILL REPORT

## SHB 1214

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As Reported By Senate Committee On:  
Natural Resources, Ocean & Recreation, March 21, 2005

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

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

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

**Brief History:** Passed House: 3/04/05, 95-1.

**Committee Activity:** Natural Resources, Ocean & Recreation: 3/17/05, 3/21/05 [DP].

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### SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

**Majority Report:** Do pass.

Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Oke, Ranking Minority Member; Fraser, Hargrove, Morton, Spanel, Stevens and Swecker.

**Staff:** Curt Gavigan (786-7437)

**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.

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.

**Summary of Bill:** "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 and shellfish taken under an emerging commercial fishery are not subject to the nonlimited entry delivery license requirement.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety 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 Washington Department of Fish and Wildlife lost a recent court case due to some confusion over an existing definition.

**Testimony Against:** None.

**Who Testified:** PRO: Representative Blake; Ed Owens, Coalition of Coastal Fisheries; Mike Cenci, Department of Fish and Wildlife.