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HOUSE BILL 2636

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State of Washington

64th Legislature

2016 Regular Session

By Representatives Walkinshaw, Blake, and Ryu; by request of Department of Fish and Wildlife

Read first time 01/18/16. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to recordkeeping requirements of secondary  
2 commercial fish receivers; and amending RCW 77.15.568.

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

4 **Sec. 1.** RCW 77.15.568 and 2009 c 333 s 19 are each amended to  
5 read as follows:

6 (1) A person is guilty of a secondary commercial fish receiver's  
7 failure to account for commercial harvest if:

8 (a) The person sells fish or shellfish at retail, stores or holds  
9 fish or shellfish for another in exchange for valuable consideration, or  
10 ships fish or shellfish in exchange for valuable consideration, or  
11 brokers fish or shellfish in exchange for valuable consideration;

12 (b) The fish or shellfish were required to be entered on a  
13 Washington fish-receiving ticket or a Washington aquatic farm  
14 production annual report; and

15 (c) The person fails to maintain records of each receipt of fish  
16 or shellfish, as required under subsections (3) through (5) of this  
17 section, at:

18 (i) The location where the fish or shellfish are being sold((~~τ~~))  
19 or at the location where the fish or shellfish are being stored or  
20 held((~~τ~~)); or ((~~at~~))

1       (ii) The principal place of business of the shipper or broker if  
2 the fish or shellfish are not in possession.

3       (2) This section applies to a wholesale fish dealer acting in the  
4 capacity of a broker. However, this section does not apply to a  
5 wholesale fish dealer acting in the capacity of a wholesale fish  
6 dealer, to a fisher selling under a direct retail sale endorsement,  
7 or to a registered aquatic farmer.

8       (3) Records of the receipt of fish or shellfish required to be  
9 kept under this section must be in the English language and be  
10 maintained for three years from the date fish or shellfish are  
11 received, shipped, or brokered.

12       (4) Records maintained by persons that retail or broker must  
13 include the following:

14       (a) The name, address, and phone number of the wholesale fish  
15 dealer, fisher selling under a direct retail sale endorsement, or  
16 aquatic farmer or shellstock shipper from whom the fish or shellfish  
17 were purchased or received;

18       (b) The Washington fish-receiving ticket number documenting  
19 original receipt or aquatic farm production quarterly report  
20 documenting production, if available;

21       (c) The date of purchase or receipt; and

22       (d) The amount and species of fish or shellfish purchased or  
23 received.

24       (5) Records maintained by persons that store, hold, or ship fish  
25 or shellfish for others must state the following:

26       (a) The name, address, and phone number of the person and  
27 business from whom the fish or shellfish were received;

28       (b) The date of receipt; and

29       (c) The amount and species of fish or shellfish received.

30       (6) A secondary commercial fish receiver's failure to account for  
31 commercial harvest is a misdemeanor.

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