

SENATE BILL REPORT

SHB 1769

As of March 22, 2019

Title: An act relating to a vessel crewmember license.

Brief Description: Concerning a vessel crewmember license.

Sponsors: House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Representatives Blake, Chandler and Dent).

Brief History: Passed House: 3/07/19, 97-0.

Committee Activity: Agriculture, Water, Natural Resources & Parks: 3/21/19.

Brief Summary of Bill

- Authorizes the Fish and Wildlife Commission to adopt fishery-specific rules pertaining to commercial fishing crewmember licenses.
- Requires crewmember license holders to carry identification.
- Provides that crewmembers licenses held by a commercial fishing license holder may not be used by an individual who is prohibited from obtaining a crewmember license.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Karen Epps (786-7424)

Background: Role of the Department of Fish and Wildlife. The Department of Fish and Wildlife (DFW) serves as manager of the state's fish and wildlife resources. Among other duties, DFW must protect and manage fish and wildlife, including establishing the time, place, manner, and methods used to harvest or enjoy fish and wildlife.

Commercial Fishery Licensing. DFW manages the commercial harvest of fish and shellfish. Commercial fishers, and fish buyers and dealers, must obtain applicable licenses from DFW. In general, commercial fishing license fees are structured by species and fishing gear. There is a resident and nonresident fee for each license type.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Crewmembers of commercial fishing vessels must obtain a crewmember license. A commercial fishing license holder may purchase up to two crewmember licenses for any individual working on the vessel named on the commercial fishing license. Each such crewmember license covers one crewmember per trip. Immediate family members, including spouses, children, or grandchildren, of a person who holds a commercial fishing license are exempt from the crewmember licensing requirement.

Commercial Fishery Enforcement. The fish and wildlife enforcement code contains civil and criminal penalties for violations of commercial fish and wildlife fishing, licensing, and recordkeeping requirements. Examples include:

- fishing for or delivering fish or shellfish without the appropriate license;
- receiving or delivering fish or shellfish for commercial purposes without appropriately documenting the transaction as required by statute or rule; and
- for a fish dealer, purchasing a quantity of fish or shellfish that cannot be processed within 60 hours of the catch, unless the catch can be stored in good marketable condition.

Summary of Bill: The Fish and Wildlife Commission may adopt fishery-specific rules to increase the number of commercial fishing crewmember licenses that may be held by a commercial fishing license holder and that pertain to the issuance, validity, use, possession, and display of the license.

Individuals required to have a crewmember license must carry at least one piece of identification that contains their photograph and signature. A crewmember license held by a commercial fishing license holder may not be used to cover an individual who is prohibited from obtaining a crewmember license.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: In 2017, the Legislature created a requirement that crew members on a commercial fishing vessel have a crew member license and allowed a commercial fishing license holder to purchase up to two crew member. This type of crew member license is sometimes referred to as a John Doe license. In 2018, 546 crew member licenses were sold online and 448 were sold as an add on to the commercial license. This bill would authorize the Fish and Wildlife Commission to create fishery specific rules that would permit more than two crewmember licenses to be held. The bill also adds the requirement that individuals who have a crew member license must have valid identification which enhances DFW's ability to enforce the crewmember license provision. The bill also provides that the license may not be held by someone who is not authorized to have a commercial fishing license. The limit of two John Doe licenses is best suited for small operations. Larger vessels such as purse seiners often have more than four crew members and this bill would provide some flexibility to them.

Persons Testifying: PRO: Tom Echols, Purse Seine Vessel Owners Association; Dan Chadwick, Police Captain, DFW.

Persons Signed In To Testify But Not Testifying: No one.