

SENATE BILL REPORT

HB 1437

As Passed Senate, March 30, 2021

Title: An act relating to a vessel crewmember license.

Brief Description: Concerning a vessel crewmember license.

Sponsors: Representatives MacEwen and Eslick.

Brief History: Passed House: 3/2/21, 96-0.

Committee Activity: Agriculture, Water, Natural Resources & Parks: 3/11/21, 3/11/21 [DP].

Floor Activity: Passed Senate: 3/30/21, 48-0.

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

Majority Report: Do pass.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Rolfes, Short and Stanford.

Staff: Karen Epps (786-7424)

Background: Role of the Department of Fish and Wildlife. The Department of Fish and

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

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. Commercial fishing license fees are structured by species and fishing gear. There is a resident and nonresident fee for each license type.

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 the last fiscal year, DFW sold 859 crewmember licenses and 791 crewmember licenses that were an add-on to the commercial license. The bill authorizes the Fish and Wildlife Commission to adopt rules for specific fisheries to increase the number of crewmember licenses that can be held by a commercial fishing license holder. Industry would like to have the ability to have additional John Doe licenses available for certain fisheries. The bill also adds a requirement the crewmember license holder have identification which is to be produced to a DFW officer upon request. The bill also closes a potential loophole, ensuring someone who may be prohibited from having a crewmember license from utilizing a John Doe license. Each crewmember license covers one crewmember per trip and the John Doe license allows a different crewmember to act as a crewmember on a subsequent trip. The limit of two John Doe licenses is best suited for vessels having two crew members or less, such as troll vessels. Larger vessels, such as purse seine vessels, typically have four or more crewmembers on board in order to safely operate. For larger vessels, the limit of two John Doe licenses does not provide the same flexibility for a commercial fishing license holder to rotate crewmembers during the season as the current law affords to smaller vessels. The intent of the bill is to simplify compliance with the crewmember license requirement for vessels that employ more than two crewmembers. The bill also makes Washington law consistent with Oregon law, which is helpful for some commercial fishing license holders who operate in both Washington and Oregon.

Persons Testifying: PRO: Nate Pamplin, Washington Department of Fish and Wildlife; Robert Kehoe, Purse Seine Vessel Owners Association; Tom Echols, Coalition of Coastal Fisheries and West Coast Seafood Processors Association.

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