

# HOUSE BILL REPORT

## HB 1153

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### As Passed Legislature

**Title:** An act relating to prohibiting octopus farming.

**Brief Description:** Prohibiting octopus farming.

**Sponsors:** Representatives Peterson, Fitzgibbon, Berry, Walen, Bateman, Goodman, Leavitt, Macri, Gregerson, Stonier, Pollet and Fosse.

#### **Brief History:**

##### **Committee Activity:**

Agriculture & Natural Resources: 2/8/23, 2/17/23 [DP].

##### **Floor Activity:**

Passed House: 2/6/24, 70-27.

Passed Senate: 2/27/24, 29-20.

Passed Legislature.

#### **Brief Summary of Bill**

- Prohibits octopus farming in the State of Washington.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 9 members: Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba, Kretz, Lekanoff, Orcutt and Springer.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Chandler, Assistant Ranking Minority Member; Schmick.

**Staff:** Rebecca Lewis (786-7339).

#### **Background:**

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*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.*

Aquaculture is the culture or farming of fish, shellfish, and other aquatic plants and animals in fresh, brackish, or salt water areas. It is not the same as commercial fishing, which is the harvesting of wild fish.

In Washington, aquaculture occurs in both fresh and marine waters such as streams, rivers, lakes, the Puget Sound, and on the coast. Commercial aquaculture activities include raising, harvesting, transporting, and selling fish and shellfish. Other aquaculture activities are designed to help restore and enhance resources. This includes fish and shellfish hatcheries and planting and growing native aquatic plants to restore or enhance habitat. Private sector cultured aquatic products in Washington include clams, oysters, prawns, trout, salmon, geoducks, and kelp, among others. Commercial net-pen aquaculture of nonnative finfish, including Atlantic salmon, has been prohibited in Washington.

Aquaculture is regulated by the departments of Ecology, Fish and Wildlife and Natural Resources, as well as local and tribal governments, and other state and federal agencies.

**Summary of Bill:**

The definition of "private sector cultured aquatic products" does not include octopus, and octopus aquaculture is prohibited in Washington.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) This act protects animal and environmental welfare. Multiple studies support the finding that octopus are smart sentient creatures who feel emotion and pain. Octopus are recognized as sentient under law in the United Kingdom. Other studies have found that high welfare farming is impossible for octopus because of their intelligence and need for solitary enclosures. Octopus farming would be harmful to their welfare. Another important reason for this act is to prevent a repeat of the environmental issues created by the Atlantic salmon net pen collapse which created pollution that was detrimental to the environment.

(Opposed) None.

**Persons Testifying:** Representative Strom Peterson, prime sponsor; Amanda Henson and Josh Diamond, Animal Rights Initiative.

**Persons Signed In To Testify But Not Testifying:** Jennifer Jacquet; Dylan Tchang; Giulia

Malerbi, Tessa Gonzalez, Sophika Kostyniuk, and Catalina Lopez, Aquatic Life Institute; Jessica Free; Christine Xu; Andrew Knight, University of Winchester Centre for Animal Welfare; Monica Bando, Global Animal Welfare; Laura Lee Cascada, Every Animal Project; Amie Albright; Shannon Davis, The Humane League; Kathy Hessler; Katie Nolan and Fleur Dawes, In Defense of Animals; Brigitte McLain; and Elizabeth Mathena.