

# SENATE BILL REPORT

## SB 6401

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As Passed Senate, February 12, 2016

**Title:** An act relating to recordkeeping requirements of secondary commercial fish receivers.

**Brief Description:** Concerning recordkeeping requirements of secondary commercial fish receivers.

**Sponsors:** Senators Rolfes and Warnick; by request of Department of Fish and Wildlife.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 1/28/16, 2/04/16 [DP].  
Passed Senate: 2/12/16, 48-0.

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** Do pass.

Signed by Senators Pearson, Chair; Dandel, Vice Chair; Jayapal, Ranking Member; Chase, Fraser, Hewitt and Warnick.

**Staff:** Bonnie Kim (786-7316)

**Background:** Secondary commercial fish receivers are persons who sell fish at retail, and persons who store, hold, ship, or broker fish or shellfish for valuable consideration. A person is guilty of a secondary commercial fish receiver's failure to account for commercial harvest if:

- the person sells fish or shellfish at retail, stores or holds fish or shellfish for another in exchange for valuable consideration, or ships or brokers fish or shellfish in exchange for valuable consideration;
- the fish or shellfish were required to be entered on a Washington fish-receiving ticket or a Washington aquatic farm production annual report; and
- the person fails to maintain records of each receipt of fish or shellfish as required at the location where the fish or shellfish are being sold, stored, or held, or at the principal place of business of the shipper or broker.

Records of the receipt of fish or shellfish must be in the English language and be maintained for three years from the date the fish or shellfish are received, shipped, or brokered. A secondary commercial fish receiver's failure to account for commercial harvest is a misdemeanor.

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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 a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** Clarifies that the situation where a person fails to maintain records at the principal place of business of the shipper or broker applies if the person does not possess the fish or shellfish.

**Appropriation:** None.

**Fiscal Note:** Available.

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

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

**Staff Summary of Public Testimony:** PRO: Our officers work hard to protect legal businesses from poached products entering the market. There are many instances when records are kept at a primary place of business, often out of the country, rather than with the fish. It is important that the records be kept with the products to be able to verify country of origin.

**Persons Testifying:** PRO: Mike Hobbs, WDFW.

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