

SENATE BILL REPORT

HB 2535

AS OF FEBRUARY 19, 1992

Brief Description: Punishing illegal traffic of wildlife.

SPONSORS: Representatives R. Meyers, R. King, Padden, Orr, Wilson, Haugen, Jacobsen, Paris, Kremen and Rasmussen; by request of Department of Wildlife

HOUSE COMMITTEE ON JUDICIARY

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

Staff: Ross Antipa (786-7413)

Hearing Dates: February 27, 1992

BACKGROUND:

A recent prosecution of defendants charged with illegal trafficking in salmon and steelhead highlighted a discrepancy between the wildlife code and fisheries code in penalties for commercial trafficking violations.

The wildlife code makes such trafficking, regardless of the value of the goods, a gross misdemeanor punishable by a fine of between \$250 and \$1,000 and or imprisonment for between 30 days and one year.

In comparison, the fisheries code makes illegal trafficking in food fish or shellfish with a wholesale value of at least \$250 a class C felony. A class C felony is punishable as provided in the criminal code, by a maximum of five years imprisonment and a \$10,000 fine.

Also, penalties prescribed by the wildlife code for misdemeanors and gross misdemeanors differ from those prescribed by criminal statutes. For example, the fine for a misdemeanor is \$500 under the wildlife code and a maximum of \$1,000 under criminal statutes. The maximum fine for a gross misdemeanor is \$1,000 under the wildlife code and \$5,000 under criminal statutes.

SUMMARY:

Illegal trafficking in wildlife having a wholesale value in excess of \$250 is made a class C felony. Illegal trafficking in wildlife having a wholesale value of \$250 or less is made a gross misdemeanor.

Penalties in the wildlife code are made consistent with those in criminal statutes.

Appropriation: none

Revenue: none

Fiscal Note: none requested