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HOUSE BILL 2092

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Morris, Anderson, Dunshee, Cooper and Miloscia

Read first time 02/15/1999. Referred to Committee on Natural Resources.

1 AN ACT Relating to sale of marine mammal parts; amending RCW  
2 77.15.260; adding a new section to chapter 77.15 RCW; and prescribing  
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.15 RCW  
6 to read as follows:

7 A person who is authorized to take or hunt any marine mammal in the  
8 waters of the state or of the United States for subsistence reasons may  
9 not act for commercial purposes as defined in RCW 77.15.110, and may  
10 not sell or attempt to sell any such marine mammal in whole or in part.

11 **Sec. 2.** RCW 77.15.260 and 1998 c 190 s 42 are each amended to read  
12 as follows:

13 (1) A person is guilty of unlawful trafficking in fish or wildlife  
14 in the second degree if the person traffics in fish or wildlife with a  
15 wholesale value of less than two hundred fifty dollars and:

16 (a) The fish or wildlife is classified as game, food fish,  
17 shellfish, game fish, or protected wildlife and the trafficking is not  
18 authorized by statute or rule of the department; or

1 (b) The fish or wildlife is unclassified and the trafficking  
2 violates any rule of the department.

3 (2) A person is guilty of unlawful trafficking in fish or wildlife  
4 in the first degree if the person commits the act described by  
5 subsection (1) of this section and:

6 (a) The fish or wildlife has a value of two hundred fifty dollars  
7 or more; ~~((or))~~

8 (b) The fish or wildlife is designated as endangered or deleterious  
9 exotic wildlife and such trafficking is not authorized by any statute  
10 or rule of the department; or

11 (c) The fish or wildlife belongs to a species of marine mammal that  
12 may be taken or hunted only for subsistence purposes.

13 (3)(a) Unlawful trafficking in fish or wildlife in the second  
14 degree is a gross misdemeanor.

15 (b) Unlawful trafficking in fish or wildlife in the first degree is  
16 a class C felony.

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