
HOUSE BILL 1646

State of Washington

60th Legislature

2007 Regular Session

By Representative Blake

Read first time 01/24/2007. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to sampling of fish, wildlife, and shellfish by
2 department of fish and wildlife employees; amending RCW 77.15.360;
3 adding a new section to chapter 77.12 RCW; creating a new section; and
4 prescribing penalties.

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

6 NEW SECTION. **Sec. 1.** The legislature intends that sampling of
7 fish, wildlife, and shellfish by department of fish and wildlife
8 employees will ensure the conservation and management of fish,
9 shellfish, and wildlife. Because the harvest of fish and wildlife is
10 regulated by the department, the legislature finds that sampling by
11 departmental employees will benefit the resource, and will further the
12 department's research related to fish, wildlife, and shellfish.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW
14 to read as follows:

15 (1) Department employees, in carrying out their duties under this
16 title on public lands or state waters, may:

17 (a) Collect samples of tissue, fluids, or other bodily parts of
18 fish, wildlife, or shellfish; or

1 (b) Board vessels in state waters engaged in commercial and
2 recreational harvest activities to collect samples of fish, wildlife,
3 or shellfish.

4 (i) Department employees shall ask permission from the owner or his
5 or her agent before boarding vessels in state waters.

6 (ii) If an employee of the department is denied access to any
7 vessel where access was sought for the purposes of (b) of this
8 subsection, the department employee may apply to any court of competent
9 jurisdiction for a search warrant authorizing access to the vessel in
10 order to carry out their duties under this section. The court may upon
11 application issue a search warrant for the purposes requested.

12 (2) Department employees must have official identification,
13 announce their presence and intent, and perform their duties in a safe
14 and professional manner while carrying out the activities in this
15 section.

16 (3) This section does not apply to fish and wildlife officers and
17 ex officio fish and wildlife officers carrying out their duties under
18 this title.

19 **Sec. 3.** RCW 77.15.360 and 2000 c 107 s 243 are each amended to
20 read as follows:

21 (1) A person is guilty of unlawful interfering in department
22 operations if the person prevents department employees from carrying
23 out duties authorized by this title, including but not limited to
24 interfering:

25 (a) In the operation of department vehicles, vessels, or aircraft;
26 or

27 (b) With the collection of samples of tissue, fluids, or other
28 bodily parts of fish, wildlife, and shellfish under section 2 of this
29 act.

30 (2) Unlawful interfering in department operations is a gross
31 misdemeanor.

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