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ENGROSSED HOUSE BILL 2396

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Fuhrman, Basich and Mastin; by request of Department of Fish and Wildlife

Read first time 01/10/96. Referred to Committee on Natural Resources.

1 AN ACT Relating to wildlife violations; amending RCW 77.16.020; and  
2 creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds it is in the best  
5 public interest to clarify its intent concerning certain hunting and  
6 fishing violations. The fish and wildlife commission establishes  
7 fishing and hunting seasons, which often allow fishing or hunting only  
8 for members of a species with a distinguishing characteristic, such as  
9 a deer hunting season specifically for deer with antlers. The season  
10 is closed to hunting or fishing for the animals of that species without  
11 the distinguishing characteristic. The legislature finds that a person  
12 who hunts, fishes, or possesses an animal without the required  
13 distinguishing characteristic is fishing or hunting during a closed  
14 season.

15 **Sec. 2.** RCW 77.16.020 and 1987 c 506 s 59 are each amended to read  
16 as follows:

17 (1) It is unlawful to hunt, fish, or possess((~~or control~~)) a  
18 species of game bird, game animal, or game fish or a member of the

1 species with a distinguishing characteristic during the closed season  
2 for ((~~that species~~)) such game bird, game animal, or game fish except  
3 as provided in RCW 77.12.105.

4 (2) It is unlawful to kill, take, catch, possess, or control  
5 ((~~these species~~)) a game bird, game animal, or game fish or a member of  
6 the species with a distinguishing characteristic in excess of the  
7 number fixed as the bag limit for ((~~each species~~)) that game bird, game  
8 animal, or game fish.

9 (3) It is unlawful to hunt within a game reserve or to fish for  
10 game fish within closed waters.

11 (4) It is unlawful to hunt wild birds or wild animals within a  
12 closed area except as authorized by rule of the commission.

13 (5) It is unlawful to hunt or fish for wildlife, practice taxidermy  
14 for profit, deal in raw furs for profit, act as a fishing guide, or  
15 operate a game farm, stock game fish, or collect wildlife for research  
16 or display, without having in possession the license, permit, tag,  
17 stamp, or ((~~punchcard~~)) catch record card required by chapter 77.32 RCW  
18 or rule of the department. The activities described in this subsection  
19 shall be conducted in accordance with rules adopted pursuant to this  
20 title.

21 (6) A distinguishing characteristic includes but is not limited to:  
22 Size; sex; horn or antler presence, size, or number of points; fin  
23 clip; mark; or external tag.

24 (7) For the purposes of this section with regard to dusky Canada  
25 geese (*Branta canadensis occidentalis*), the department shall not  
26 consider leg length or bill length.

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