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HOUSE BILL 2099

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Kagi, Jarrett, Romero, O'Brien, Lantz, Cooper and Upthegrove

Read first time 02/25/2003. Referred to Committee on Fisheries, Ecology & Parks.

1 AN ACT Relating to lead shot; and amending RCW 77.12.047.

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

3 **Sec. 1.** RCW 77.12.047 and 2001 c 253 s 14 are each amended to read  
4 as follows:

5 (1) The commission may adopt, amend, or repeal rules as follows:

6 (a) Specifying the times when the taking of wildlife, fish, or  
7 shellfish is lawful or unlawful.

8 (b) Specifying the areas and waters in which the taking and  
9 possession of wildlife, fish, or shellfish is lawful or unlawful.

10 (c) Specifying and defining the gear, appliances, or other  
11 equipment and methods that may be used to take wildlife, fish, or  
12 shellfish, and specifying the times, places, and manner in which the  
13 equipment may be used or possessed. However, the commission may not  
14 authorize the use of lead shot in the state.

15 (d) Regulating the importation, transportation, possession,  
16 disposal, landing, and sale of wildlife, fish, shellfish, or seaweed  
17 within the state, whether acquired within or without the state.

18 (e) Regulating the prevention and suppression of diseases and pests  
19 affecting wildlife, fish, or shellfish.

1 (f) Regulating the size, sex, species, and quantities of wildlife,  
2 fish, or shellfish that may be taken, possessed, sold, or disposed of.  
3 (g) Specifying the statistical and biological reports required from  
4 fishers, dealers, boathouses, or processors of wildlife, fish, or  
5 shellfish.  
6 (h) Classifying species of marine and freshwater life as food fish  
7 or shellfish.  
8 (i) Classifying the species of wildlife, fish, and shellfish that  
9 may be used for purposes other than human consumption.  
10 (j) Regulating the taking, sale, possession, and distribution of  
11 wildlife, fish, shellfish, or deleterious exotic wildlife.  
12 (k) Establishing game reserves and closed areas where hunting for  
13 wild animals or wild birds may be prohibited.  
14 (l) Regulating the harvesting of fish, shellfish, and wildlife in  
15 the federal exclusive economic zone by vessels or individuals  
16 registered or licensed under the laws of this state.  
17 (m) Authorizing issuance of permits to release, plant, or place  
18 fish or shellfish in state waters.  
19 (n) Governing the possession of fish, shellfish, or wildlife so  
20 that the size, species, or sex can be determined visually in the field  
21 or while being transported.  
22 (o) Other rules necessary to carry out this title and the purposes  
23 and duties of the department.  
24 (2) Subsections (1)(a), (b), (c), (d), and (f) of this section do  
25 not apply to private tideland owners and lessees and the immediate  
26 family members of the owners or lessees of state tidelands, when they  
27 take or possess oysters, clams, cockles, borers, or mussels, excluding  
28 razor clams, produced on their own private tidelands or their leased  
29 state tidelands for personal use.  
30 "Immediate family member" for the purposes of this section means a  
31 spouse, brother, sister, grandparent, parent, child, or grandchild.  
32 (3) Except for subsection (1)(g) of this section, this section does  
33 not apply to private sector cultured aquatic products as defined in RCW  
34 15.85.020. Subsection (1)(g) of this section does apply to such  
35 products.

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