
ENGROSSED SUBSTITUTE HOUSE BILL 1135

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Agriculture & Rural Development (originally sponsored by Representatives Kremen, Ballard, Linville, Foreman, Rayburn, Padden, R. Johnson, Grant, Schoesler, Lisk, Fuhrman, Morris, Morton, Brough, Sheahan, Finkbeiner, Quall, Miller and Anderson)

Read first time 02/22/93.

1 AN ACT Relating to alternative livestock; amending RCW 77.32.010,
2 77.32.211, 77.12.570, 77.12.580, 77.12.590, 77.12.600, 16.36.005,
3 16.36.010, 16.36.020, 16.36.050, 16.36.040, 16.36.060, 16.36.070,
4 16.36.080, 16.36.100, and 16.57.010; adding a new section to chapter
5 77.04 RCW; adding a new section to chapter 16.49A RCW; adding a new
6 chapter to Title 15 RCW; and creating a new section.

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

8 NEW SECTION. **Sec. 1.** The legislature declares that the husbandry
9 of alternative livestock as a farming operation may provide a
10 consistent source of healthful food, offers opportunities for new jobs
11 and increased farm income stability, and improves the balance of trade.

12 The legislature finds that many areas of the state of Washington
13 may be suitable for alternative livestock farms, and therefore the
14 legislature encourages the promotion of appropriate alternative
15 livestock farming activities, programs, and development with the same
16 status as other agricultural activities, programs, and development
17 within the state.

18 The legislature finds that alternative livestock farming should be
19 considered a branch of the agricultural industry of the state for

1 purposes of laws that apply to or provide for the advancement, benefit,
2 or protection of the agriculture industry within the state. The
3 legislature further finds, however, that alternative livestock farming
4 may pose threats to the state's wildlife, and therefore requires
5 effective regulation to minimize these threats.

6 It is therefore the policy of this state to encourage the
7 development and expansion of appropriate alternative livestock farming
8 within the state. It is also the policy of this state to protect
9 wildlife by providing for effective regulation of alternative livestock
10 farming including but not limited to a disease inspection and control
11 program for alternative livestock farming operations.

12 NEW SECTION. **Sec. 2.** Unless the context clearly requires
13 otherwise, the definitions in this section apply throughout this
14 chapter.

15 (1) "Alternative livestock" means the following as long as they are
16 confined by humans, raised or used in farm or ranch operations in the
17 private sector, and produced on the farm or ranch or legally acquired
18 for the farm or ranch: Fallow deer (*dama dama*); reindeer (all *rangifer*
19 except *rangifer tarandus caribou*); and other nonresident vertebrate
20 species listed by rules adopted jointly by the departments of
21 agriculture and wildlife under section 5 of this act. "Alternative
22 livestock" does not include: Wildlife species that currently exist in
23 a wild state in the state of Washington, except that by rule which
24 shall include methods that will ensure genetic integrity, the directors
25 of the department of agriculture and the department of wildlife may
26 allow rocky mountain elk (*cervus elaphus nelsoni*) to be farmed in the
27 same status and under the same regulatory provisions as "alternative
28 livestock"; animals which have escaped confinement; a domestic dog
29 (*canis familiaris*) or domestic cat (*felis domestica*); private sector
30 aquatic products as defined in and regulated under chapter 15.85 RCW;
31 an animal raised for release into the wild; an animal raised for the
32 purpose of hunting that takes place in this state; an animal that is
33 required to be identified under section 6 of this act and is not
34 identified as required; or an animal located on, purchased from, or
35 being transported to or from a farm or ranch that is required to be
36 registered under section 8 of this act but is not registered as
37 required at the time the livestock is located on, purchased from, or
38 being transported to or from the farm or ranch.

1 (2) "Alternative livestock products" means the products of
2 alternative livestock including, but not limited to, meat and meat
3 products, velvet, antlers, horns, leather, hides, feathers, eggs,
4 gametes, and genetic materials. "Alternative livestock products" does
5 not include a product that is required to be identified under section
6 6 of this act and is not identified as required.

7 (3) "Department" means the department of agriculture.

8 NEW SECTION. **Sec. 3.** The department is the principal state agency
9 for providing state marketing support services for the alternative
10 livestock industry. The department shall exercise its authorities,
11 including those provided by chapters 15.64, 15.65, 15.66, and 43.23
12 RCW, to develop a program for assisting the alternative livestock
13 industry to market and promote the use of its products. The department
14 shall consult the alternative livestock council in developing the
15 program.

16 NEW SECTION. **Sec. 4.** It is unlawful to hunt or allow others to
17 hunt for a fee, any alternative livestock or rocky mountain elk reared
18 on or derived from an alternative livestock farm.

19 NEW SECTION. **Sec. 5.** (1) The directors of the department of
20 agriculture and the department of wildlife shall jointly adopt rules
21 identifying species including deleterious species that may be raised in
22 this state as alternative livestock. In identifying species under this
23 section, the departments shall consider the risks that the presence of
24 the animals in this state, or the concentration of their number through
25 confinement, may pose, to the public health and safety, to the
26 environment, to resident wildlife, and to traditional and alternative
27 livestock. Consideration shall also be given to the ability of
28 scientists to identify and distinguish the species and products made
29 from such species, in all forms, based on accepted biological testing.
30 A hybrid of an animal listed in section 2(1) of this act or identified
31 in joint rules adopted under this subsection shall be considered to be
32 alternative livestock only if it is expressly identified in joint rules
33 adopted under this subsection. The animals listed in section 2(1) of
34 this act and those identified in such joint rules constitute the only
35 animals considered as alternative livestock under this chapter. The
36 departments may, under jointly adopted rules, restrict the areas of the

1 state in which animals listed in section 2(1) of this act or those
2 identified under this subsection may be ranched or farmed.

3 (2) The department of agriculture and the department of wildlife
4 may jointly adopt rules that authorize the department of agriculture to
5 regulate the entry and intrastate movement, sale, transfer, possession,
6 exhibition, disposition, and release of alternative livestock or
7 alternative livestock products.

8 (3) Any rules adopted under this section shall specify the
9 emergency enforcement actions that may be taken in accordance with the
10 provisions of chapter 34.05 RCW.

11 NEW SECTION. **Sec. 6.** The director of agriculture shall, in
12 consultation with the department of wildlife and the alternative
13 livestock council, establish identification requirements for
14 alternative livestock and alternative livestock products to the extent
15 that identifying the livestock or the source or quantity of the
16 products is necessary to permit the department of wildlife to
17 effectively administer and enforce Title 77 RCW. The director shall
18 also consult with the director of the department of wildlife to ensure
19 that such rules enable the department of wildlife to enforce the
20 programs administered under that title.

21 NEW SECTION. **Sec. 7.** The director of agriculture in consultation
22 with the department of wildlife shall develop and administer a program
23 of disease inspection and control for alternative livestock. The
24 purpose of the program is to protect the alternative livestock industry
25 from the loss of animals or productivity to disease and to protect
26 wildlife in this state. As used in this section "disease" means, in
27 addition to its ordinary meaning, infestations of parasites or pests.

28 NEW SECTION. **Sec. 8.** The owner of a farm or ranch for alternative
29 livestock shall register the farm or ranch annually with the department
30 of agriculture. The director shall develop and maintain a registration
31 list of all alternative livestock farms and ranches. Registered
32 alternative livestock farms and ranches shall provide the department
33 production statistical data. The director of agriculture shall, in
34 consultation with the alternative livestock council, establish by rule
35 annual registration fees sufficient to cover the costs of development
36 of rules and the administration of this chapter and the rules adopted

1 under this chapter. Fees collected under this section shall be
2 deposited in the alternative livestock farm account within the
3 agricultural local fund established in RCW 43.23.230 and shall be used
4 solely to carry out the provisions of this chapter.

5 NEW SECTION. **Sec. 9.** The department of agriculture shall adopt
6 rules for administering this chapter. Rules shall be adopted in
7 accordance with chapter 34.05 RCW.

8 In developing and adopting rules under this chapter, the department
9 of agriculture shall consult the alternative livestock council, the
10 department of wildlife, appropriate federal agencies, and Indian tribes
11 to assure the protection of state, federal, and tribal wildlife
12 resources and to protect alternative livestock from disease that could
13 originate from resources regulated or managed by public entities.

14 NEW SECTION. **Sec. 10.** If either the director of agriculture or
15 the director of wildlife proposes a rule identifying a species of
16 animal as alternative livestock under section 5 of this act or other
17 rules of a scientific nature that are the subject of the joint rule-
18 making authority of this chapter but the other director fails to
19 propose the rule jointly, a scientific review board shall be assembled
20 to make its recommendation regarding the proposed identification. The
21 board shall be composed of: One member selected by the director of the
22 department of agriculture and one member selected by the director of
23 the department of wildlife. The members selected by the directors
24 shall select a third member.

25 The board shall review the proposal based on the criteria for
26 considering threats posed by section 5(2) of this act and make its
27 recommendations to the directors of the departments of agriculture and
28 wildlife. The directors shall consider the recommendations of the
29 board. If the board recommends that the species be identified as
30 alternative livestock by joint rule and either director determines not
31 to adopt such a rule, the director so declining shall file a statement
32 with the board and the director of the other agency specifying the
33 director's reasons for declining.

34 NEW SECTION. **Sec. 11.** The director of agriculture and the
35 director of wildlife shall study the needs for assuring adequate fences
36 or other methods of enclosure for various species of alternative

1 livestock. The directors shall jointly adopt rules establishing
2 enclosure standards for one or more types of alternative livestock as
3 deemed necessary to assure adequate protection to traditional farm
4 animals, wildlife, and alternative livestock.

5 If an animal is not enclosed as required for the animal in rules
6 adopted under this section or if it is found by a state wildlife or
7 agricultural official or local law enforcement officer outside an area
8 of an enclosure that is required for it in rules adopted under this
9 section, the animal so unenclosed or so found is hereby declared to be
10 a public nuisance. An owner of alternative livestock may request
11 assistance from the department of agriculture, department of wildlife,
12 or local law enforcement office in recapturing escaped alternative
13 livestock and may be billed for the cost of services rendered.

14 Alternative livestock that escape a required enclosure shall be
15 recaptured and impounded at a suitable facility at the owner's expense.
16 Animals may not be returned to the owner's premises until sufficient
17 repairs or improvement are made to assure that release will not
18 reoccur. The owner of the animal is liable for damages that are shown
19 to be caused by the animal during the time of the escape.

20 NEW SECTION. **Sec. 12.** The alternative livestock council of not
21 more than seven persons is hereby created. Four members of the council
22 shall be appointed by the director of agriculture to three-year terms.
23 Three members of the council shall be appointed by the director of the
24 department of wildlife to three-year terms. The director may shorten
25 the initial term for a position on the council to stagger the
26 expiration of terms on the council. Vacancies on the council shall be
27 filled by the director by appointment. The council shall advise the
28 department on all aspects of alternative livestock farming and the
29 marketing of alternative livestock and alternative livestock products.

30 NEW SECTION. **Sec. 13.** Each owner of alternative livestock shall
31 ensure that the livestock are confined to the property of the owner or
32 secured at all times when not on that property. An owner who violates
33 the requirements of this section is subject to a civil penalty in the
34 form of a fine levied by the director of the department of agriculture
35 as an order under chapter 34.05 RCW. The fine shall not exceed ten
36 thousand dollars for each instance of a violation. In determining the
37 amount of a fine, the director shall consider the risks or potential

1 risks to the environment, resident wildlife, and traditional and
2 alternative livestock posed by the violation.

3 NEW SECTION. **Sec. 14.** A new section is added to chapter 77.04 RCW
4 to read as follows:

5 This title does not apply to alternative livestock or alternative
6 livestock products, as defined in section 2 of this act or in rules
7 adopted under section 5 of this act.

8 NEW SECTION. **Sec. 15.** The sole authority of the department of
9 wildlife to regulate alternative livestock and alternative livestock
10 products is that granted under sections 5, 10, and 11 of this act.

11 **Sec. 16.** RCW 77.32.010 and 1987 c 506 s 76 are each amended to
12 read as follows:

13 (1) Except as otherwise provided in this chapter, a license issued
14 by the director is required to:

15 (a) Hunt for wild animals or wild birds or fish for game fish;

16 (b) Practice taxidermy for profit;

17 (c) Deal in raw furs for profit;

18 (d) Act as a fishing guide;

19 (e) Operate a game farm;

20 (f) Purchase or sell anadromous game fish; or

21 (g) Use department-managed lands or facilities as provided by rules
22 adopted pursuant to this title.

23 (2) A permit issued by the director is required to:

24 (a) Conduct, hold, or sponsor hunting or fishing contests or
25 competitive field trials using live wildlife;

26 (b) Collect wild animals, wild birds, game fish, or protected
27 wildlife for research or display; or

28 (c) Stock game fish.

29 (3) Aquaculture as defined in RCW 15.85.020 is exempt from the
30 requirements of this section, except when being stocked in public
31 waters under contract with the department.

32 (4) A license or permit is not required for farming or ranching
33 operations for alternative livestock as such livestock are defined in
34 section 2 of this act or in rules adopted under section 5 of this act.

1 **Sec. 17.** RCW 77.32.211 and 1991 sp.s. c 7 s 4 are each amended to
2 read as follows:

3 (1) A taxidermy license allows the holder to practice taxidermy for
4 profit. The fee for this license is one hundred eighty dollars.

5 (2) A fur dealer's license allows the holder to purchase, receive,
6 or resell raw furs for profit. The fee for this license is one hundred
7 eighty dollars.

8 (3) A fishing guide license allows the holder to offer or perform
9 the services of a professional guide in the taking of game fish. The
10 fee for this license is one hundred eighty dollars for a resident and
11 six hundred dollars for a nonresident.

12 (4) A game farm license allows the holder to operate a game farm
13 (~~((to acquire, breed, grow, keep, and sell wildlife))~~) under conditions
14 prescribed by the rules adopted pursuant to this title. The fee for
15 this license is seventy-two dollars for the first year and forty-eight
16 dollars for each following year.

17 (5) A game fish stocking permit allows the holder to release game
18 fish into the waters of the state as prescribed by rule of the
19 commission. The fee for this permit is twenty-four dollars.

20 (6) A fishing or field trial permit allows the holder to promote,
21 conduct, hold, or sponsor a fishing or field trial contest in
22 accordance with rules of the commission. The fee for a fishing contest
23 permit is twenty-four dollars. The fee for a field trial contest
24 permit is twenty-four dollars.

25 (7) An anadromous game fish buyer's license allows the holder to
26 purchase or sell steelhead trout and other anadromous game fish
27 harvested by Indian fishermen lawfully exercising fishing rights
28 reserved by federal statute, treaty, or executive order, under
29 conditions prescribed by rule of the director. The fee for this
30 license is one hundred eighty dollars.

31 **Sec. 18.** RCW 77.12.570 and 1987 c 506 s 49 are each amended to
32 read as follows:

33 The commission shall establish the qualifications and conditions
34 for issuing a game farm license. The director shall adopt rules
35 governing the operation of game farms. Private sector cultured aquatic
36 products as defined in RCW 15.85.020 and alternative livestock as
37 defined in section 2 of this act or in rules adopted under section 5 of
38 this act are exempt from regulation under this section.

1 **Sec. 19.** RCW 77.12.580 and 1987 c 506 s 50 are each amended to
2 read as follows:

3 A licensed game farmer may purchase, sell, give away, or dispose of
4 the eggs of game birds or game fish lawfully possessed as provided by
5 rule of the director. The eggs of alternative livestock as defined in
6 section 2 of this act or in rules adopted under section 5 of this act
7 are exempt from regulation under this section.

8 **Sec. 20.** RCW 77.12.590 and 1987 c 506 s 51 are each amended to
9 read as follows:

10 Wildlife given away, sold, or transferred by a licensed game farmer
11 shall have attached to each wildlife member, package, or container, a
12 tag, seal, or invoice as required by rule of the director. Private
13 sector cultured aquatic products as defined in RCW 15.85.020 and
14 alternative livestock and alternative livestock products as defined in
15 section 2 of this act or in rules adopted under section 5 of this act
16 are exempt from regulation under this section.

17 **Sec. 21.** RCW 77.12.600 and 1985 c 457 s 24 are each amended to
18 read as follows:

19 (1) A common carrier may transport wildlife shipped by a licensed
20 game farmer if the wildlife is tagged, sealed, or invoiced as provided
21 in RCW 77.12.590. Packages containing wildlife shall have affixed to
22 them tags or labels showing the name of the licensee and the consignee.

23 (2) For purposes of this section, wildlife does not include private
24 sector cultured aquatic products as defined in RCW 15.85.020 or
25 alternative livestock or alternative livestock products as defined in
26 section 2 of this act or in rules adopted under section 5 of this act.
27 However, if a means of identifying such livestock or products is
28 required by rules adopted under RCW 15.85.060 or section 6 of this act,
29 this exemption from the definition of wildlife applies only if the
30 ((aquatic)) livestock or products are identified in conformance with
31 those rules.

32 NEW SECTION. **Sec. 22.** A new section is added to chapter 16.49A
33 RCW to read as follows:

34 (1) Meat and meat by-products of alternative livestock, as defined
35 in section 2 of this act or in rules adopted under section 5 of this
36 act, whether or not such meat, meat by-products, or animals originate

1 from within the state, shall not be sold or distributed for public
2 consumption without prior inspection by the department, the United
3 States department of agriculture, or another department-recognized
4 local, state, or federal agency responsible for food safety and
5 inspection.

6 (2) The department may adopt rules establishing a program for
7 inspecting meat and meat by-products of alternative livestock. Such
8 rules shall include a fee schedule that will provide for the recovery
9 of the full cost of the inspection program. Fees collected under this
10 section shall be deposited in an account within the agricultural local
11 fund and the revenue from such fees shall be used solely for carrying
12 out the provisions of this section. No appropriation is required for
13 disbursement from the account. The director may employ such personnel
14 as are necessary to carry out the provisions of this section.

15 **Sec. 23.** RCW 16.36.005 and 1987 c 163 s 1 are each amended to read
16 as follows:

17 As used in this chapter:

18 "Alternative livestock" shall have the meaning as defined in
19 section 2 of this act.

20 "Exotic wildlife" means any wild animal whose members do not exist
21 in Washington in a wild state as of the effective date of this act but
22 does not include alternative livestock as defined in section 2 of this
23 act.

24 "Director" means the director of agriculture of the state of
25 Washington or his authorized representative.

26 "Department" means the department of agriculture of the state of
27 Washington.

28 "Garbage" means the solid animal and vegetable waste and offal
29 together with the natural moisture content resulting from the handling,
30 preparation, or consumption of foods in houses, restaurants, hotels,
31 kitchens, markets, meat shops, packing houses and similar
32 establishments or any other food waste containing meat or meat
33 products.

34 "Veterinary biologic" means any virus, serum, toxin, and analogous
35 product of natural or synthetic origin, or product prepared from any
36 type of genetic engineering, such as diagnostics, antitoxins, vaccines,
37 live microorganisms, killed microorganisms, and the antigenic or

1 immunizing components intended for use in the diagnosis, treatment, or
2 prevention of diseases in animals.

3 **Sec. 24.** RCW 16.36.010 and 1927 c 165 s 2 are each amended to read
4 as follows:

5 The word "quarantine" as used in this act shall mean the placing
6 and restraining of any animal or animals by the owner or agents in
7 charge thereof, either within a certain described and designated
8 enclosure or area within this state, or the restraining of any such
9 animal or animals from entering this state, as may be directed in
10 writing by the director of agriculture, or his or her duly authorized
11 representative. Any animal or animals so quarantined within the state
12 shall at all times be kept separate and apart from other ((domestic))
13 animals and not allowed to have anything in common therewith.

14 **Sec. 25.** RCW 16.36.020 and 1987 c 163 s 2 are each amended to read
15 as follows:

16 The director shall have general supervision of the prevention of
17 the spread and the suppression of infectious, contagious, communicable
18 and dangerous diseases affecting animals within, in transit through and
19 being imported into the state. The director may establish and enforce
20 quarantine of and against any and all ((domestic)) animals which are
21 affected with any such disease or that may have been exposed to others
22 thus affected, whether within or without the state, for such length of
23 time as he or she deems necessary to determine whether any such animal
24 is infected with any such disease. The director shall also enforce and
25 administer the provisions of this chapter pertaining to garbage feeding
26 and when garbage has been fed to swine, the director may require the
27 disinfection of all facilities, including yard, transportation and
28 feeding facilities, used for keeping such swine.

29 The director shall also have the authority to regulate the sale,
30 distribution, and use of veterinary biologics in the state and may
31 adopt rules to restrict the sale, distribution, or use of any
32 veterinary biologic in any manner the director determines to be
33 necessary to protect the health and safety of the public and the
34 state's animal population.

35 The director shall also have the authority to adopt rules governing
36 the importation and care of alternative livestock. In adopting such

1 rules, the department shall consult with the department of wildlife of
2 the state of Washington.

3 **Sec. 26.** RCW 16.36.050 and 1979 c 154 s 11 are each amended to
4 read as follows:

5 It shall be unlawful for any person to intentionally falsely make,
6 complete, alter, use, or sign an animal health certificate, certificate
7 of veterinary inspection, or official written animal health instrument
8 of the department of agriculture. It shall be unlawful for any person,
9 or any railroad or transportation company, or other common carrier, to
10 bring into this state for any purpose any domestic animals, exotic
11 wildlife, or alternative livestock without first having secured an
12 official health certificate or certificate of veterinary inspection,
13 certified by the state veterinarian of origin that such animals meet
14 the health requirements ((~~promulgated~~)) adopted by the director of
15 agriculture of the state of Washington: PROVIDED, That this section
16 shall not apply to domestic animals imported into this state for
17 immediate slaughter, or domestic animals imported for the purpose of
18 unloading for feed, rest, and water, for a period not in excess of
19 twenty-eight hours except upon prior permit therefor secured from the
20 director of agriculture. It shall be unlawful for any person to divert
21 en route for other than to an approved, inspected stockyard for
22 immediate slaughter or to sell for other than immediate slaughter or to
23 fail to slaughter within fourteen days after arrival, any animal
24 imported into this state for immediate slaughter. It shall be unlawful
25 for any person, railroad, transportation company, or other common
26 carrier, to keep any domestic animals which are unloaded for feed, rest
27 and water in other than quarantined pens, or not to report any missing
28 animals to the director of agriculture at the time the animals are
29 reloaded.

30 **Sec. 27.** RCW 16.36.040 and 1979 c 154 s 10 are each amended to
31 read as follows:

32 The director of agriculture shall have power to ((~~promulgate~~))
33 adopt and enforce such reasonable rules((~~, regulations~~)) and orders as
34 he or she may deem necessary or proper to prevent the introduction or
35 spreading of infectious, contagious, communicable, or dangerous
36 diseases affecting domestic animals, exotic wildlife, or alternative
37 livestock in this state, and to ((~~promulgate~~)) adopt and enforce such

1 reasonable rules(~~(, regulations)~~) and orders as he or she may deem
2 necessary or proper governing the inspection and test of all animals
3 within or about to be imported into this state, and to (~~promulgate~~)
4 adopt and enforce (~~intereounty~~) intrastate embargoes, hold orders,
5 and quarantine (~~to prevent the shipment, trailing, trucking,~~
6 ~~transporting or movement of bovine animals from any county that has not~~
7 ~~been declared modified accredited by the United States department of~~
8 ~~agriculture, animal and plant health inspection service, for~~
9 ~~tuberculosis and/or certified brucellosis free, into a county which has~~
10 ~~been declared modified accredited by the United States department of~~
11 ~~agriculture, animal and plant health inspection service, for~~
12 ~~tuberculosis and/or certified brucellosis free, unless such animals are~~
13 ~~accompanied by a negative certificate of tuberculin test made within~~
14 ~~sixty days and/or a negative brucellosis test made within the forty-~~
15 ~~five day period prior to the movement of such animal into such county,~~
16 ~~issued by a duly authorized veterinary inspector of the state~~
17 ~~department of agriculture, or of the United States department of~~
18 ~~agriculture, animal and plant health inspection service, or an~~
19 ~~accredited veterinarian authorized by permit issued by the director of~~
20 ~~agriculture to execute such certificate)~~).

21 **Sec. 28.** RCW 16.36.060 and 1985 c 415 s 2 are each amended to read
22 as follows:

23 It shall be unlawful for any person to willfully hinder, obstruct,
24 or resist the director of agriculture or any duly authorized
25 representative, or any peace officer acting under him or her or them,
26 when engaged in the performance of the duties or in the exercise of the
27 powers conferred by this chapter, and it shall be unlawful for any
28 person to willfully fail to comply with or violate any rule(~~(,~~
29 ~~regulation)~~) or order (~~promulgated~~) adopted by the director of
30 agriculture or his or her duly authorized representatives under the
31 provisions of this chapter. The director of agriculture shall have the
32 authority under such rules (~~and regulations~~) as shall be
33 (~~promulgated~~) adopted by (~~him~~) the director to enter at any
34 reasonable time the premises of any (~~livestock~~) domestic animals,
35 exotic wildlife, or alternative livestock owner to make tests on any
36 animals for diseased conditions, and it shall be unlawful for any
37 person to interfere with such tests in any manner, or to violate any
38 segregation or identification order made in connection with such tests

1 by the director of agriculture, or his or her duly authorized
2 representative.

3 **Sec. 29.** RCW 16.36.070 and 1947 c 172 s 6 are each amended to read
4 as follows:

5 Whenever a majority of any board of health, board of county
6 commissioners, city council or other governing body of any incorporated
7 city or town, or trustees of any township, whether in session or not,
8 shall, in writing or by telegraph, notify the director of agriculture
9 of the prevalence of or probable danger of infection from any of the
10 diseases of domestic animals, exotic wildlife, or alternative livestock
11 the director of agriculture personally, or by the supervisor of dairy
12 and livestock, or by a duly appointed and deputized veterinarian of the
13 division of ((dairy and livestock)) food safety and animal health,
14 shall at once go to the place designated in said notice and take such
15 action as the exigencies may in his or her judgment demand, and may in
16 case of an emergency appoint deputies or assistants, with equal power
17 to act. The compensation to be paid such emergency deputies and
18 assistants, shall be fixed by the director of agriculture in conformity
19 with the standards effective in the locality in which the services are
20 performed.

21 **Sec. 30.** RCW 16.36.080 and 1947 c 172 s 7 are each amended to read
22 as follows:

23 It shall be unlawful for any person registered to practice
24 veterinary medicine, surgery and dentistry in this state not to
25 immediately report in writing to the director of agriculture the
26 discovery of the existence or suspected existence among domestic
27 animals, exotic wildlife, or alternative livestock within the state of
28 any reportable diseases as published by the director of agriculture.

29 **Sec. 31.** RCW 16.36.100 and 1927 c 165 s 10 are each amended to
30 read as follows:

31 The governor and the director of agriculture shall have the power
32 to cooperate with the government of the United States in the prevention
33 and eradication of diseases of domestic animals, exotic wildlife, or
34 alternative livestock and the governor shall have the power to receive
35 and receipt for any moneys receivable by this state under the
36 provisions of any act of congress and pay the same into the hands of

1 the state treasurer as custodian for the state to be used and expended
2 in carrying out the provisions of this act and the act or acts of
3 congress under which said moneys are paid over to the state.

4 **Sec. 32.** RCW 16.57.010 and 1989 c 286 s 22 are each amended to
5 read as follows:

6 For the purpose of this chapter:

7 (1) "Department" means the department of agriculture of the state
8 of Washington.

9 (2) "Director" means the director of the department or a duly
10 appointed representative.

11 (3) "Person" means a natural person, individual, firm, partnership,
12 corporation, company, society, and association, and every officer,
13 agent or employee thereof. This term shall import either the singular
14 or the plural as the case may be.

15 (4) "Livestock" includes, but is not limited to, horses, mules,
16 cattle, sheep, swine, goats, poultry (~~and~~), rabbits, and alternative
17 livestock as defined in section 2 of this act or in rules adopted under
18 section 5 of this act.

19 (5) "Brand" means a permanent fire brand or any artificial mark,
20 other than an individual identification symbol, approved by the
21 director to be used in conjunction with a brand or by itself.

22 (6) "Production record brand" means a number brand which shall be
23 used for production identification purposes only.

24 (7) "Brand inspection" means the examination of livestock or
25 livestock hides for brands or any means of identifying livestock or
26 livestock hides and/or the application of any artificial identification
27 such as back tags or ear clips necessary to preserve the identity of
28 the livestock or livestock hides examined.

29 (8) "Individual identification symbol" means a permanent mark
30 placed on a horse for the purpose of individually identifying and
31 registering the horse and which has been approved for use as such by
32 the director.

33 (9) "Registering agency" means any person issuing an individual
34 identification symbol for the purpose of individually identifying and
35 registering a horse.

36 NEW SECTION. **Sec. 33.** The directors of the department of
37 agriculture and the department of wildlife shall prepare a report on

1 the joint rule making under this act. The report shall also include a
2 status report on the alternative livestock industry in the state and
3 shall address questions related to the enforcement of the provisions of
4 this act, containment, disease, genetic screening, and identification
5 of individual animals. The report shall be transmitted to the
6 chairpersons of the house of representatives committees on agriculture
7 and rural development and fisheries and wildlife and the senate
8 committees on agriculture and natural resources by July 1, 1995.

9 NEW SECTION. **Sec. 34.** Sections 1 through 13 and 15 of this act
10 shall constitute a new chapter in Title 15 RCW.

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