

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1282

54th Legislature
1995 Regular Session

Passed by the House April 18, 1995
Yeas 81 Nays 11

**Speaker of the
House of Representatives**

Passed by the Senate April 6, 1995
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1282** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1282

AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Representatives Fuhrman, Mastin, Buck, Goldsmith, Koster, Padden, Mulliken, Lambert, Crouse, Thompson, Basich, Hargrove, Sheldon, McMahan, Pelesky, Sheahan, Boldt and Elliot

Read first time 01/19/95. Referred to Committee on Natural Resources.

1 AN ACT Relating to certain animals posing a danger to livestock or
2 crops; and amending RCW 77.12.265.

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

4 **Sec. 1.** RCW 77.12.265 and 1987 c 506 s 35 are each amended to read
5 as follows:

6 The owner, the owner's immediate family member, the owner's
7 documented employee, or tenant of real property may trap or kill on
8 that property, without the licenses required under RCW 77.32.010, wild
9 animals or wild birds, other than an endangered species, that ((is))
10 are damaging crops, domestic animals, fowl, or other property. Except
11 in emergency situations, deer, elk, and protected wildlife shall not be
12 killed without a permit issued and conditioned by the director. The
13 director may delegate this authority.

14 For the purposes of this section, "emergency" means an unforeseen
15 circumstance beyond the control of the landowner or tenant that
16 presents a real and immediate threat to crops, domestic animals, fowl,
17 or other property.

18 Alternatively, when sufficient time for the issuance of a permit by
19 the director is not available, verbal permission may be given by the

1 appropriate department regional administrator to owners or tenants of
2 real property to trap or kill on that property any deer, elk, or
3 protected wildlife which is damaging crops, domestic animals, fowl, or
4 other property. The regional administrator may delegate, in writing,
5 a member of the regional staff to give the required permission in these
6 emergency situations. Nothing in this section authorizes in any
7 situation the trapping, hunting, or killing of an endangered species.

8 Except for coyotes and Columbian ground squirrels, wildlife trapped
9 or killed under this section remain((s)) the property of the state, and
10 the person trapping or killing the wildlife shall notify the department
11 immediately. The director shall dispose of wildlife so taken within
12 three working days of receiving such a notification.

13 If the department receives recurring complaints regarding property
14 being damaged as described in this section from the owner or tenant of
15 real property, or receives such complaints from several such owners or
16 tenants in a locale, the commission shall consider conducting a special
17 hunt or special hunts to reduce the potential for such damage.

18 For purposes of this section, "crop" means an agricultural or
19 horticultural product growing or harvested and includes wild shrubs and
20 range land vegetation on privately owned cattle ranching lands. On
21 such lands, the land owner or lessee may declare an emergency when the
22 department has not responded within forty-eight hours after having been
23 contacted by the land owner or lessee regarding crop damage by wild
24 animals or wild birds. However, the department shall not allow claims
25 for damage to wild shrubs or range land vegetation on such lands.

26 Deer and elk shall not be killed under the authority of this
27 section on privately owned cattle ranching lands that were closed to
28 public hunting during the previous hunting season, except for land
29 closures which are coordinated with the department to protect property
30 and livestock.

31 The department shall work closely with landowners and tenants
32 suffering game damage problems to control damage without killing the
33 animals when practical, to increase the harvest of damage-causing
34 animals in hunting seasons, or to kill the animals when no other
35 practical means of damage control is feasible.

36 For the purposes of this section, "immediate family member" means
37 spouse, brother, sister, grandparent, parent, child, or grandchild.

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