

SHB 1512 - S COMM AMD

By Committee on Parks, Fish & Wildlife

ADOPTED 04/11/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 77.36.020 and 1996 c 54 s 3 are each amended to read
4 as follows:

5 The department shall work closely with landowners and tenants
6 suffering game damage problems to control damage without killing the
7 animals when practical, to increase the harvest of damage-causing
8 animals in hunting seasons, and to kill the animals when no other
9 practical means of damage control is feasible.

10 If the department receives recurring complaints regarding property
11 being damaged as described in this section or RCW 77.36.030 from the
12 owner or tenant of real property, or receives such complaints from
13 several such owners or tenants in a locale, the commission shall
14 (~~consider conducting~~) conduct a special hunt or special hunts or take
15 remedial action to reduce the potential for such damage. The
16 commission shall authorize either one or two antlerless permits per
17 hunter for special hunts held in damage areas where qualified
18 department staff, or their designee, have confirmed six incidents of
19 crop damage by deer or elk.

20 As an alternative to hunting, the department shall work with
21 affected entities to relocate deer and elk when needed to augment
22 existing herds.

23 **Sec. 2.** RCW 77.12.150 and 1987 c 506 s 24 are each amended to read
24 as follows:

25 (1) By emergency rule only, and in accordance with criteria
26 established by the commission, the director may close or shorten a
27 season for game animals, game birds, or game fish, and after a season
28 has been closed or shortened, may reopen it and reestablish bag limits
29 on game animals, game birds, or game fish during that season. The

1 director shall advise the commission of the adoption of emergency
2 rules. A copy of an emergency rule, certified as a true copy by the
3 director or by a person authorized in writing by the director to make
4 the certification, is admissible in court as prima facie evidence of
5 the adoption and validity of the rule.

6 (2)(a) If the director finds that game animals have increased in
7 numbers in an area of the state so that they are damaging public or
8 private property or over-utilizing their habitat, the commission may
9 establish a special hunting season and designate the time, area, and
10 manner of taking and the number and sex of the animals that may be
11 killed or possessed by a licensed hunter. ~~((The director shall
12 determine by random selection the identity of hunters who may hunt
13 within the area and shall determine the conditions and requirements of
14 the selection process.))~~ The director shall include notice of the
15 special season in the rules establishing open seasons.

16 (b) When the department receives six complaints concerning damage
17 to commercial agricultural and horticultural crop production by
18 wildlife from the owner or tenant of real property, or from several
19 owners or tenants in a locale, the commission shall conduct a special
20 hunt or special hunts or take remedial action to reduce the potential
21 for the damage, and shall authorize either one or two permits per
22 hunter. Each complaint must be confirmed by qualified department
23 staff, or their designee.

24 (c) The director shall determine by random selection the identity
25 of hunters who may hunt within the area of the special hunt and shall
26 determine the conditions and requirements of the selection process.
27 Within this process, the department must maintain a list of all persons
28 holding valid wildlife hunting licenses, arranged by county of
29 residence, who may hunt deer or elk that are causing damage to crops.
30 The department must update the list annually and utilize the list when
31 contacting persons to assist in controlling game damage to crops. The
32 department must make all reasonable efforts to contact individuals
33 residing within the county where the hunting of deer or elk will occur
34 before contacting a person who is not a resident of that county. The
35 department must randomize the names of people on the list in order to
36 provide a fair distribution of the hunting opportunities. Hunters who
37 participate in hunts under this section must report any kills to the

1 department. The department must include a summary of the wildlife
2 harvested in these hunts in the annual game management reports it makes
3 available to the public."

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4 On page 1, line 1 of the title, after "crops;" strike the remainder
5 of the title and insert "and amending RCW 77.36.020 and 77.12.150."

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