
HOUSE BILL 1512

State of Washington

58th Legislature

2003 Regular Session

By Representatives Cox, Fromhold, Sump, Schoesler, Hatfield, Ahern, Clements and Armstrong

Read first time 01/29/2003. Referred to Committee on Fisheries, Ecology & Parks.

1 AN ACT Relating to controlling game damage to crops; amending RCW
2 77.36.020 and 77.12.150; and adding a new section to chapter 77.36 RCW.

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

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

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

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

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

3 By emergency rule only, and in accordance with criteria established
4 by the commission, the director may close or shorten a season for game
5 animals, game birds, or game fish, and after a season has been closed
6 or shortened, may reopen it and reestablish bag limits on game animals,
7 game birds, or game fish during that season. The director shall advise
8 the commission of the adoption of emergency rules. A copy of an
9 emergency rule, certified as a true copy by the director or by a person
10 authorized in writing by the director to make the certification, is
11 admissible in court as prima facie evidence of the adoption and
12 validity of the rule.

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

23 When the department receives six complaints concerning damage to
24 commercial agricultural and horticultural crop production by wildlife
25 from the owner or tenant of real property, or from several owners or
26 tenants in a locale, the commission shall conduct a special hunt or
27 special hunts to reduce the potential for the damage. Each complaint
28 must be confirmed by a qualified department staff. The commission
29 shall authorize at least two doe permits per hunter for special hunts
30 held in damage areas.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.36 RCW
32 to read as follows:

33 The department must maintain a list of persons holding valid
34 wildlife hunting licenses, arranged by county of residence, who have
35 indicated that they are available to hunt deer or elk that are causing
36 damage to crops. Individuals must meet all the qualifications
37 established by the department in order to be placed upon the list. The

1 department must update the list at least once every three years. The
2 department must utilize this list when contacting persons to assist in
3 controlling game damage to crops. The department must make all
4 reasonable efforts to use an individual who resides within the county
5 where the hunting of deer or elk will occur before contacting a person
6 who is not a resident of that county. The department must rotate the
7 names of people who it contacts on the list in order to provide a fair
8 distribution of the hunting opportunity. Hunters who participate in
9 hunts under this section must report any kills to the department. The
10 department must include a summary of the wildlife harvested in these
11 hunts in the annual game management reports it makes available to the
12 public.

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