
SUBSTITUTE HOUSE BILL 1501

State of Washington 63rd Legislature 2013 Regular Session

By House Agriculture & Natural Resources (originally sponsored by Representatives Lytton, Kretz, and Ryu)

READ FIRST TIME 02/21/13.

1 AN ACT Relating to building upon the existing wildlife interaction
2 program to establish the mechanisms behind an uncapped funding source
3 for implementing the provisions of the Washington wolf conservation and
4 management plan adopted by the fish and wildlife commission in 2011 in
5 a way that does not change the management provisions of the plan;
6 amending RCW 77.36.100, 77.36.130, 46.18.200, 46.17.220, 46.68.425, and
7 46.18.060; adding new sections to chapter 77.36 RCW; and adding a new
8 section to chapter 46.04 RCW.

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

10 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.36 RCW
11 to read as follows:

12 (1)(a) The wolf interaction conflict account is created in the
13 custody of the state treasurer. Prior to the end of each biennium, the
14 department must transfer to the wolf interaction conflict account the
15 balance of unexpended state funds authorized to be used for livestock
16 claims and assessment costs under section 2 of this act and
17 appropriated for mitigation, claims, and assessment costs for injury to
18 or loss of livestock submitted under RCW 77.36.100.

1 (b) The wolf interaction conflict account may also accept any
2 grants, gifts, or donations to the state for the purposes of providing
3 compensation for livestock damage caused by wolves and any
4 appropriations or fund transfers made by the legislature. The
5 department may accept money or personal property for the account from
6 persons under conditions requiring the property or money to be used
7 consistent with the intent of this section. All revenues provided to
8 the department from the sales of Washington's wolves license plates, as
9 defined in section 6 of this act, must also be deposited into the wolf
10 interaction conflict account.

11 (c) Expenditures from the wolf interaction conflict account may be
12 used only for the mitigation, prevention, assessment, and payment of
13 livestock losses consistent with this chapter. However, revenues from
14 Washington's wolves license plates may only be spent consistent with
15 RCW 46.68.425. Only the director or the director's designee may
16 authorize expenditures from the account. The account is subject to
17 allotment procedures under chapter 43.88 RCW, but an appropriation is
18 not required for expenditures.

19 (2)(a) The department must maintain a list of claims submitted
20 under RCW 77.36.100, organized chronologically by the date wolf
21 predation is confirmed, for injury or loss of livestock due to wolf
22 predation that have not been fully paid by the department. As funding
23 becomes available to the department under this section, section 2 of
24 this act, or any other source, the department must pay claims in the
25 chronologic order they appear on the list. The department must
26 maintain, and is authorized to pay, claims that appear on the list due
27 to a wildlife interaction that occurred in a previous fiscal biennium.

28 (b) The payment of a claim included on the list maintained by the
29 department under this section is conditional on the availability of
30 specific funding for this purpose and is not a guarantee of
31 reimbursement.

32 (3) Payments on claims from the wolf interaction conflict account
33 are not subject to the limitations provided in section 2 of this act.

34 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.36 RCW
35 to read as follows:

36 (1) The department may pay up to fifty thousand dollars per fiscal

1 year from the state wildlife account created in RCW 77.12.170 for
2 claims and assessment costs for injury or loss of livestock due to wolf
3 predation submitted under RCW 77.36.100.

4 (2) The department may accept and expend money from other sources
5 to address losses or damage to livestock or other property.

6 (3) Prior to the end of any biennium in which the department
7 expends fewer state funds from the biennial appropriation to the state
8 wildlife account than is authorized under subsection (1) of this
9 section, under the specific authority provided in this section, the
10 unexpended amount must be transferred to the wolf interaction conflict
11 account created in section 1 of this act.

12 **Sec. 3.** RCW 77.36.100 and 2009 c 333 s 55 are each amended to read
13 as follows:

14 (1)(a) Except as limited by RCW 77.36.070 (~~and~~), 77.36.080, and
15 section 2 of this act, the department shall offer to distribute money
16 appropriated to pay claims to the owner of commercial crops for damage
17 caused by wild deer or elk or to the owners of commercial livestock
18 that has been killed by bears, wolves, or cougars, or injured by bears,
19 wolves, or cougars to such a degree that the market value of the
20 commercial livestock has been diminished. Payments for claims for
21 damage to commercial livestock are not subject to the limitations of
22 RCW 77.36.070 and 77.36.080, but may not, except as provided in
23 sections 1 and 2 of this act, exceed the total amount specifically
24 appropriated therefor.

25 (b) Owners of commercial crops or commercial livestock are only
26 eligible for a claim under this subsection if:

27 (i) The owner satisfies the definition of "eligible farmer" in RCW
28 82.08.855;

29 (ii) The conditions of RCW 77.36.110 have been satisfied; and

30 (iii) The damage caused to the commercial crop or commercial
31 livestock satisfies the criteria for damage established by the
32 commission under this subsection.

33 (c) The commission shall adopt and maintain by rule criteria that
34 clarifies the damage to commercial crops and commercial livestock
35 qualifying for compensation under this subsection. An owner of a
36 commercial crop or commercial livestock must satisfy the criteria prior
37 to receiving compensation under this subsection. The criteria for

1 damage adopted under this subsection must include, but not be limited
2 to, a required minimum economic loss to the owner of the commercial
3 crop or commercial livestock, which may not be set at a value of less
4 than five hundred dollars.

5 (2)(a) The department may offer to provide noncash compensation
6 only to offset wildlife interactions to a person who applies to the
7 department for compensation for damage to property other than
8 commercial crops or commercial livestock that is the result of a
9 mammalian or avian species of wildlife on a case-specific basis if the
10 conditions of RCW 77.36.110 have been satisfied and if the damage
11 satisfies the criteria for damage established by the commission under
12 this subsection.

13 (b) The commission shall adopt and maintain by rule criteria for
14 damage to property other than a commercial crop or commercial livestock
15 that is damaged by wildlife and may be eligible for compensation under
16 this subsection, including criteria for filing a claim for compensation
17 under this subsection.

18 (3)(a) To prevent or offset wildlife interactions, the department
19 may offer materials or services to a person who applies to the
20 department for assistance in providing mitigating actions designed to
21 reduce wildlife interactions if the actions are designed to address
22 damage that satisfies the criteria for damage established by the
23 commission under this subsection.

24 (b) The commission shall adopt and maintain by rule criteria for
25 mitigating actions designed to address wildlife interactions that may
26 be eligible for materials and services under this section, including
27 criteria for submitting an application under this section.

28 (4) An owner who files a claim under this section may appeal the
29 decision of the department pursuant to rules adopted by the commission
30 if the claim:

31 (a) Is denied; or

32 (b) Is disputed by the owner and the owner disagrees with the
33 amount of compensation determined by the department.

34 **Sec. 4.** RCW 77.36.130 and 2009 c 333 s 58 are each amended to read
35 as follows:

36 (1) Except as otherwise provided in this section and as limited by

1 RCW 77.36.100, 77.36.070, (~~and~~) 77.36.080, and section 2 of this act,
2 the cash compensation portion of each claim by the department under
3 this chapter is limited to the lesser of:

4 (a) The value of the damage to the property by wildlife reduced by
5 the amount of compensation provided to the claimant by any nonprofit
6 organizations that provide compensation to private property owners due
7 to financial losses caused by wildlife interactions, except that,
8 subject to appropriation to pay compensation for damage to commercial
9 livestock, the value of (~~killed or injured~~) commercial livestock
10 killed or injured by a wildlife species other than the gray wolf may be
11 no more than two hundred dollars per sheep, one thousand five hundred
12 dollars per head of cattle, and one thousand five hundred dollars per
13 horse; or

14 (b) Ten thousand dollars.

15 (2) The value of livestock killed or injured by a gray wolf is to
16 be set at the market value of the lost livestock.

17 (3) The department may offer to pay a claim for an amount in excess
18 of ten thousand dollars to the owners of commercial crops or commercial
19 livestock filing a claim under RCW 77.36.100 only if the outcome of an
20 appeal filed by the claimant under RCW 77.36.100 determines a payment
21 higher than ten thousand dollars.

22 (~~(3)~~) (4) All payments of claims by the department under this
23 chapter must be paid to the owner of the damaged property and may not
24 be assigned to a third party.

25 (~~(4)~~) (5) The burden of proving all property damage, including
26 damage to commercial crops and commercial livestock, belongs to the
27 claimant.

28 **Sec. 5.** RCW 46.18.200 and 2012 c 65 s 1 are each amended to read
29 as follows:

30 (1) Special license plate series reviewed and approved by the
31 department:

32 (a) May be issued in lieu of standard issue or personalized license
33 plates for vehicles required to display one and two license plates
34 unless otherwise specified;

35 (b) Must be issued under terms and conditions established by the
36 department;

1 (c) Must not be issued for vehicles registered under chapter 46.87

2 RCW; and

3 (d) Must display a symbol or artwork approved by the department.

4 (2) The department approves and shall issue the following special
5 license plates:

6 LICENSE PLATE	DESCRIPTION, SYMBOL, OR ARTWORK
7 4-H	Displays the "4-H" logo.
8 Armed forces collection	Recognizes the contribution of veterans, active duty military personnel, reservists, and members of the national guard, and includes six separate designs, each containing a symbol representing a different branch of the armed forces to include army, navy, air force, marine corps, coast guard, and national guard.
14 Endangered wildlife	Displays a symbol or artwork, approved by the special license plate review board and the legislature.
16 Gonzaga University alumni association	Recognizes the Gonzaga University alumni association.
17 Helping kids speak	Recognizes an organization that supports programs that provide no-cost speech pathology programs to children.
19 Keep kids safe	Recognizes efforts to prevent child abuse and neglect.
20 Law enforcement memorial	Honors law enforcement officers in Washington killed in the line of duty.
22 Music matters	Displays the "Music Matters" logo.
23 Professional firefighters and paramedics	Recognizes professional firefighters and paramedics who are members of the Washington state council of firefighters.
26 Share the road	Recognizes an organization that promotes bicycle safety and awareness education.
28 Ski & ride Washington	Recognizes the Washington snowsports industry.
29 State flower	Recognizes the Washington state flower.
30 Volunteer firefighters	Recognizes volunteer firefighters.
31 Washington lighthouses	Recognizes an organization that supports selected Washington state lighthouses and provides environmental education programs.
34 Washington state parks	Recognizes Washington state parks as premier destinations of uncommon quality that preserve significant natural, cultural, historical, and recreational resources.

1	Washington's national park fund	Builds awareness of Washington's national parks and
2		supports priority park programs and projects in
3		Washington's national parks, such as enhancing visitor
4		experience, promoting volunteerism, engaging
5		communities, and providing educational opportunities
6		related to Washington's national parks.
7	<u>Washington's wolves</u>	<u>Recognizes Washington's wolf population and their special</u>
8		<u>management needs.</u>
9	Washington's wildlife collection	Recognizes Washington's wildlife.
10	We love our pets	Recognizes an organization that assists local member
11		agencies of the federation of animal welfare and control
12		agencies to promote and perform spay/neuter surgery on
13		Washington state pets to reduce pet overpopulation.
14	Wild on Washington	Symbolizes wildlife viewing in Washington state.

15 (3) Applicants for initial and renewal professional firefighters
16 and paramedics special license plates must show proof eligibility by
17 providing a certificate of current membership from the Washington state
18 council of firefighters.

19 (4) Applicants for initial volunteer firefighters special license
20 plates must (a) have been a volunteer firefighter for at least ten
21 years or be a volunteer firefighter for one or more years and (b) have
22 documentation of service from the district of the appropriate fire
23 service. If the volunteer firefighter leaves firefighting service
24 before ten years of service have been completed, the volunteer
25 firefighter shall surrender the license plates to the department on the
26 registration renewal date. If the volunteer firefighter stays in
27 service for at least ten years and then leaves, the license plate may
28 be retained by the former volunteer firefighter and as long as the
29 license plate is retained for use the person will continue to pay the
30 future registration renewals. A qualifying volunteer firefighter may
31 have no more than one set of license plates per vehicle, and a maximum
32 of two sets per applicant, for their personal vehicles. If the
33 volunteer firefighter is convicted of a violation of RCW 46.61.502 or
34 a felony, the license plates must be surrendered upon conviction.

35 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.04 RCW
36 to read as follows:

1 "Washington's wolves license plates" means special license plates
2 issued under RCW 46.18.200 that display a symbol or artwork of a wolf.

3 **Sec. 7.** RCW 46.17.220 and 2012 c 65 s 4 are each amended to read
4 as follows:

5 (1) In addition to all fees and taxes required to be paid upon
6 application for a vehicle registration in chapter 46.16A RCW, the
7 holder of a special license plate shall pay the appropriate special
8 license plate fee as listed in this section.

9	PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
10	(a) 4-H	\$ 40.00	\$ 30.00	RCW 46.68.420
11	(b) Amateur radio license	\$ 5.00	N/A	RCW 46.68.070
12	(c) Armed forces	\$ 40.00	\$ 30.00	RCW 46.68.425
13	(d) Baseball stadium	\$ 40.00	\$ 30.00	Subsection (2) of this
14				section
15	(e) Collector vehicle	\$ 35.00	N/A	RCW 46.68.030
16	(f) Collegiate	\$ 40.00	\$ 30.00	RCW 46.68.430
17	(g) Endangered wildlife	\$ 40.00	\$ 30.00	RCW 46.68.425
18	(h) Gonzaga University	\$ 40.00	\$ 30.00	RCW 46.68.420
19	alumni association			
20	(i) Helping kids speak	\$ 40.00	\$ 30.00	RCW 46.68.420
21	(j) Horseless carriage	\$ 35.00	N/A	RCW 46.68.030
22	(k) Keep kids safe	\$ 45.00	\$ 30.00	RCW 46.68.425
23	(l) Law enforcement	\$ 40.00	\$ 30.00	RCW 46.68.420
24	memorial			
25	(m) Military affiliate radio	\$ 5.00	N/A	RCW 46.68.070
26	system			
27	(n) Music matters	\$ 40.00	\$ 30.00	RCW 46.68.420
28	(o) Professional firefighters	\$ 40.00	\$ 30.00	RCW 46.68.420
29	and paramedics			
30	(p) Ride share	\$ 25.00	N/A	RCW 46.68.030
31	(q) Share the road	\$ 40.00	\$ 30.00	RCW 46.68.420
32	(r) Ski & ride Washington	\$ 40.00	\$ 30.00	RCW 46.68.420
33	(s) Square dancer	\$ 40.00	N/A	RCW 46.68.070
34	(t) State flower	\$ 40.00	\$ 30.00	RCW 46.68.420
35	(u) Volunteer firefighters	\$ 40.00	\$ 30.00	RCW 46.68.420

1	(v) Washington lighthouses	\$ 40.00	\$ 30.00	RCW 46.68.420
2	(w) Washington state parks	\$ 40.00	\$ 30.00	RCW 46.68.425
3	(x) Washington's national	\$ 40.00	\$ 30.00	RCW 46.68.420
4	parks			
5	(y) <u>Washington's wolves</u>	<u>\$40.00</u>	<u>\$30.00</u>	<u>RCW 46.68.425</u>
6	(z) <u>Washington's wildlife</u>	\$ 40.00	\$ 30.00	RCW 46.68.425
7	collection			
8	((z)) <u>(aa)</u> We love our pets	\$ 40.00	\$ 30.00	RCW 46.68.420
9	((aa)) <u>(bb)</u> Wild on	\$ 40.00	\$ 30.00	RCW 46.68.425
10	Washington			

11 (2) After deducting administration and collection expenses for the
12 sale of baseball stadium license plates, the remaining proceeds must be
13 distributed to a county for the purpose of paying the principal and
14 interest payments on bonds issued by the county to construct a baseball
15 stadium, as defined in RCW 82.14.0485, including reasonably necessary
16 preconstruction costs, while the taxes are being collected under RCW
17 82.14.360. After this date, the state treasurer shall credit the funds
18 to the state general fund.

19 **Sec. 8.** RCW 46.68.425 and 2011 c 171 s 88 are each amended to read
20 as follows:

21 (1) The department shall:

22 (a) Collect special license plate fees established under RCW
23 46.17.220;

24 (b) Deduct an amount not to exceed twelve dollars for initial issue
25 and two dollars for renewal issue for administration and collection
26 expenses incurred by it; and

27 (c) Remit the remaining proceeds to the custody of the state
28 treasurer with a proper identifying detailed report.

29 (2) The state treasurer shall credit the proceeds to the motor
30 vehicle fund until the department determines that the state has been
31 reimbursed for the cost of implementing the special license plate.
32 Upon determination by the department that the state has been
33 reimbursed, the state treasurer shall credit the remaining special
34 license plate fees to the following accounts by special license plate
35 type:

1	SPECIAL LICENSE PLATE TYPE	ACCOUNT	CONDITIONS FOR USE OF FUNDS
2	Armed forces	RCW 43.60A.140	N/A
3	Endangered wildlife	RCW 77.12.170	Must be used only for the department of fish and wildlife's endangered wildlife program activities
6	Keep kids safe	RCW 43.121.100	((As specified in RCW 43.121.050)) N/A
7	Washington state parks	RCW 79A.05.059	Provide public educational opportunities and enhancement of Washington state parks
10	<u>Washington's wolves</u>	<u>Section 1 of this act</u>	<u>Dedicated to the department of fish and wildlife's preventative wolf management efforts</u>
13	Washington's wildlife collection	RCW 77.12.170	Only for the department of fish and wildlife's game species management activities
16	Wild on Washington	RCW 77.12.170	Dedicated to the department of fish and wildlife's watchable wildlife activities, as defined in RCW 77.32.560

19 **Sec. 9.** RCW 46.18.060 and 2012 c 65 s 6 are each amended to read
20 as follows:

21 (1) The department must review and either approve or reject special
22 license plate applications submitted by sponsoring organizations.

23 (2) Duties of the department include, but are not limited to, the
24 following:

25 (a) Review and approve the annual financial reports submitted by
26 sponsoring organizations with active special license plate series and
27 present those annual financial reports to the joint transportation
28 committee;

29 (b) Report annually to the joint transportation committee on the
30 special license plate applications that were considered by the
31 department;

32 (c) Issue approval and rejection notification letters to sponsoring
33 organizations, the executive committee of the joint transportation
34 committee, and the legislative sponsors identified in each application.
35 The letters must be issued within seven days of making a determination
36 on the status of an application; and

1 (d) Review annually the number of plates sold for each special
2 license plate series created after January 1, 2003. The department may
3 submit a recommendation to discontinue a special plate series to the
4 executive committee of the joint transportation committee.

5 (3) Except as provided in RCW 46.18.245, in order to assess the
6 effects and impact of the proliferation of special license plates, the
7 legislature declares a temporary moratorium on the issuance of any
8 additional plates until July 1, 2013. During this period of time, the
9 department is prohibited from accepting, reviewing, processing, or
10 approving any applications. Additionally, a special license plate may
11 not be enacted by the legislature during the moratorium, unless the
12 proposed license plate has been approved by the former special license
13 plate review board before February 15, 2005.

14 (4) The limitations under subsection (3) of this section do not
15 apply to the following special license plates:

- 16 (a) 4-H license plates created under RCW 46.18.200;
- 17 (b) Music Matters license plates created under RCW 46.18.200;
- 18 (c) State flower license plates created under RCW 46.18.200;
- 19 (d) Volunteer firefighter license plates created under RCW
20 46.18.200;
- 21 (e) Washington's wolves license plates created under RCW 46.18.200.

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