

SHB 2376 - H AMD 847

By Representative Taylor

NOT ADOPTED 02/25/2016

1 On page 297, after line 13, insert the following:

2 "Sec. 920. RCW 77.36.110 and 2009 c 333 s 56 are each amended to
3 read as follows:

4 (1) No owner may receive compensation for wildlife interactions
5 under this chapter unless the owner has, as determined by the
6 department, first:

7 (a) Utilized applicable legal and practicable self-help
8 preventive measures available to prevent the damage, including the
9 use of nonlethal methods and department-provided materials and
10 services when available under RCW 77.36.100; and

11 (b) Exhausted all available compensation options available from
12 nonprofit organizations that provide compensation to private property
13 owners due to financial losses caused by wildlife interactions.

14 (2) In determining if the requirements of this section have been
15 satisfied, the department may recognize and consider the following:

16 (a) Property losses may occur without future or anticipated
17 knowledge of potential problems resulting in an owner being unable to
18 take preemptive measures.

19 (b) Normal agricultural practices, animal husbandry practices,
20 recognized standard management techniques, and other industry-
21 recognized management practices may represent adequate preventative
22 efforts.

23 (c) Under certain circumstances, as determined by the department,
24 wildlife may not logistically or practicably be managed by nonlethal
25 efforts.

26 (d) Not all available legal preventative efforts are
27 cost-effective for the owner to practicably employ.

28 (e) There are certain effective preventative control options not
29 available due to federal or state restrictions.

30 ~~((f) Under certain circumstances, as determined by the~~
31 ~~department, permitting public hunting may not be a practicable self-~~
32 ~~help method due to the size and nature of the property, the~~

1 ~~property's setting, or the ability of the landowner to accommodate~~
2 ~~public access.))~~

3 (3) An owner is not eligible to receive compensation if the
4 damages are covered by insurance.

5 (4) Permitting public hunting on the land subject to a claim
6 under this chapter is not considered to be a practicable self-help
7 preventive measure and the department may not condition the receipt
8 of compensation under this chapter on the claimant allowing or
9 facilitating public hunting access to the land in question.

10 (5) The commission shall adopt rules implementing this section,
11 including requirements that owners document nonlethal preventive
12 efforts undertaken and all permits issued by the department under RCW
13 77.12.240 and 77.12.150."

14 Renumber the remaining sections consecutively, correct any
15 internal references accordingly, and correct the title.

EFFECT: Prohibits the Washington Department of Fish and Wildlife
from requiring a wildlife damage claimant to allow public hunting
access to his or her land as a condition of receiving compensation.

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