
**Agriculture & Natural Resources
Committee**

HB 1192

Brief Description: Prohibiting the department of fish and wildlife from requiring public access as a condition of receiving compensation under chapter 77.36 RCW.

Sponsors: Representatives Taylor, Dent, Manweller and Shea.

Brief Summary of Bill

- Specifies that allowing public hunting may not be considered a practicable self-help measure in order to receive compensation for wildlife damage.

Hearing Date: 1/26/17

Staff: Rebecca Lewis (786-7339).

Background:

Owners of livestock or commercial agricultural or horticultural crops may apply to the Department of Fish and Wildlife (Department) for payment of damages caused by certain wildlife. An owner of crops or livestock is eligible to be paid the value of the lost crop or livestock, less any payments received by a non-profit organization, up to a maximum of \$10,000 per claim.

The owners of property other than livestock or commercial crops may apply to the Department for compensation for damage caused by mammals or birds. However, unlike for livestock and commercial crops, the Department is not required to provide compensation, and any compensation provided may not be in the form of monetary payments. Compensation for this class of damage must take the form of materials or services.

The Fish and Wildlife Commission must identify criteria to determine whether damage to property qualifies for compensation. Property owners must first exhaust any available

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compensation from non-profit organizations and may not receive compensation from the Department if they have insurance that provides compensation for the crop loss.

Property owners must also use all applicable legal and practicable self-help measures to prevent or minimize property damage. The Department has general authority to authorize the removal of damaging wildlife and determine applicable self-help measures. By rule, the Department encourages landowners to allow general season hunting and trapping by the public on their property to minimize damage potential. However, under certain circumstances the Department may determine that public hunting is not a practicable self-help measure. Self-help measures may also include non-lethal methods of damage prevention and materials and services provided by the Department.

Summary of Bill:

Permitting public hunting on land subject to a claim for wildlife damages may not be considered a practicable self-help preventative measure. The Department may not require a landowner to facilitate public hunting access to their land as a condition of receiving compensation for wildlife damage. Language specifying when hunting may not be considered a practicable self-help measure by the Department is deleted.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.