

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 5474

65th Legislature
2017 Regular Session

Passed by the Senate April 13, 2017
Yeas 49 Nays 0

President of the Senate

Passed by the House April 10, 2017
Yeas 98 Nays 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5474** as passed by Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 5474

AS AMENDED BY THE HOUSE

Passed Legislature - 2017 Regular Session

State of Washington 65th Legislature 2017 Regular Session

By Senate Ways & Means (originally sponsored by Senator Pearson)

READ FIRST TIME 02/24/17.

1 AN ACT Relating to initiating proactive steps to address elk hoof
2 disease; amending RCW 77.12.047; adding a new section to chapter
3 77.12 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that elk hoof
6 disease poses a significant threat to the state, including elk
7 populations and livestock. While the legislature recognizes the
8 efforts of the department of fish and wildlife thus far, more
9 aggressive steps are necessary to achieve a better understanding of
10 the hoof disease epidemic facing the state's elk populations and to
11 ensure proactive management and treatment actions are pursued.

12 **Sec. 2.** RCW 77.12.047 and 2001 c 253 s 14 are each amended to
13 read as follows:

14 (1) The commission may adopt, amend, or repeal rules as follows:

15 (a) Specifying the times when the taking of wildlife, fish, or
16 shellfish is lawful or unlawful.

17 (b) Specifying the areas and waters in which the taking and
18 possession of wildlife, fish, or shellfish is lawful or unlawful.

19 (c) Specifying and defining the gear, appliances, or other
20 equipment and methods that may be used to take wildlife, fish, or

1 shellfish, and specifying the times, places, and manner in which the
2 equipment may be used or possessed.

3 (d) Regulating the importation, transportation, possession,
4 disposal, landing, and sale of wildlife, fish, shellfish, or seaweed
5 within the state, whether acquired within or without the state.
6 However, the rules of the department must prohibit any person,
7 including department staff, from translocating a live elk from an
8 area with elk affected by hoof disease to any other location except:

9 (i) Consistent with a process developed by the department with
10 input from the affected federally recognized tribes for translocation
11 for monitoring or hoof disease management purposes; or

12 (ii) Within an elk herd management plan area affected by hoof
13 disease.

14 (e) Regulating the prevention and suppression of diseases and
15 pests affecting wildlife, fish, or shellfish.

16 (f) Regulating the size, sex, species, and quantities of
17 wildlife, fish, or shellfish that may be taken, possessed, sold, or
18 disposed of.

19 (g) Specifying the statistical and biological reports required
20 from fishers, dealers, boathouses, or processors of wildlife, fish,
21 or shellfish.

22 (h) Classifying species of marine and freshwater life as food
23 fish or shellfish.

24 (i) Classifying the species of wildlife, fish, and shellfish that
25 may be used for purposes other than human consumption.

26 (j) Regulating the taking, sale, possession, and distribution of
27 wildlife, fish, shellfish, or deleterious exotic wildlife.

28 (k) Establishing game reserves and closed areas where hunting for
29 wild animals or wild birds may be prohibited.

30 (l) Regulating the harvesting of fish, shellfish, and wildlife in
31 the federal exclusive economic zone by vessels or individuals
32 registered or licensed under the laws of this state.

33 (m) Authorizing issuance of permits to release, plant, or place
34 fish or shellfish in state waters.

35 (n) Governing the possession of fish, shellfish, or wildlife so
36 that the size, species, or sex can be determined visually in the
37 field or while being transported.

38 (o) Other rules necessary to carry out this title and the
39 purposes and duties of the department.

1 (2)(a) Subsections (1)(a), (b), (c), (d), and (f) of this section
2 do not apply to private tideland owners and lessees and the immediate
3 family members of the owners or lessees of state tidelands, when they
4 take or possess oysters, clams, cockles, borers, or mussels,
5 excluding razor clams, produced on their own private tidelands or
6 their leased state tidelands for personal use.

7 (b) "Immediate family member" for the purposes of this section
8 means a spouse, brother, sister, grandparent, parent, child, or
9 grandchild.

10 (3) Except for subsection (1)(g) of this section, this section
11 does not apply to private sector cultured aquatic products as defined
12 in RCW 15.85.020. Subsection (1)(g) of this section does apply to
13 such products.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.12
15 RCW to read as follows:

16 Subject to the availability of amounts appropriated for this
17 specific purpose, the legislature designates Washington State
18 University college of veterinary medicine as the state lead in
19 developing a program to monitor and assess causes of and potential
20 solutions for elk hoof disease. The college must establish an elk
21 monitoring system in southwest Washington in order to carry out this
22 mission. In conducting this work, the college must work
23 collaboratively with entities including the department, the state
24 veterinarian, and any tribes with interest in participating. The
25 college must provide regular updates, at minimum on an annual basis,
26 to the appropriate committees of the legislature and the commission
27 on its findings, program needs, and any recommendations.

28 NEW SECTION. **Sec. 4.** The department of fish and wildlife must
29 immediately adopt or amend any rule as necessary to implement, and
30 ensure rules are consistent with, this act.

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