
SUBSTITUTE SENATE BILL 6548

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Honeyford, Hewitt, Mulliken and Sheahan)

READ FIRST TIME 02/09/04.

1 AN ACT Relating to wildlife crop damage; amending RCW 77.36.080;
2 amending 2001 c 274 s 5 (uncodified); and providing an expiration date.

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

4 **Sec. 1.** RCW 77.36.080 and 2001 c 274 s 3 are each amended to read
5 as follows:

6 (1) The department may pay no more than thirty thousand dollars per
7 fiscal year from the general fund for claims under RCW 77.36.040 and
8 for assessment costs and compromise of claims unless the legislature
9 declares an emergency. Such money shall be used to pay animal damage
10 claims only if the claim meets the conditions of RCW 77.36.040 and the
11 damage occurred in a place where the opportunity to hunt was restricted
12 or prohibited by a county, municipality, or other public entity during
13 the season prior to the occurrence of the damage.

14 (2) The legislature may declare an emergency, defined for the
15 purposes of this section as any happening arising from weather, other
16 natural conditions, or fire that causes unusually great damage by deer
17 or elk to commercially raised agricultural or horticultural crops, or
18 rangeland forage on privately owned land used for grazing or browsing
19 of domestic livestock for at least a portion of the year. In an

1 emergency, the department may pay as much as may be subsequently
2 appropriated, in addition to the funds authorized under subsection (1)
3 of this section, for claims under RCW 77.36.040 and for assessment and
4 compromise of claims. Such money shall be used to pay animal damage
5 claims only if the claim meets the conditions of RCW 77.36.040 and the
6 department has expended all funds authorized under RCW 77.36.070 or
7 subsection (1) of this section.

8 (3) Of the total funds available each fiscal year under subsection
9 (1) of this section and RCW 77.36.070, no more than one-third of this
10 total may be used to pay animal damage claims for rangeland forage on
11 privately owned land. The department and the person making the claim
12 for rangeland damage may agree to grazing on department lands in lieu
13 of or as part of the claim settlement.

14 (4) Of the total funds available each fiscal year under subsection
15 (1) of this section and RCW 77.36.070 that remain unspent at the end of
16 the fiscal year, fifty percent shall be utilized as matching grants to
17 enhance habitat for deer and elk on public lands.

18 (5) For the purposes of this section, assessments of rangeland
19 damage shall be completed by a third party rangeland expert selected
20 jointly by the department and the claimant. If the parties do not
21 agree, the assessment will be conducted by rangeland experts selected
22 by Washington State University. Any costs associated with such an
23 assessment must be reimbursed by the department.

24 **Sec. 2.** 2001 c 274 s 5 (uncodified) is amended to read as follows:
25 The following expire June 30, ((2004)) 2008:
26 (1) Section 1, chapter 274, Laws of 2001;
27 (2) Section 2, chapter 274, Laws of 2001; and
28 (3) Section 3, chapter 274, Laws of 2001.

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