
SUBSTITUTE SENATE BILL 5474

State of Washington

65th Legislature

2017 Regular Session

By Senate Natural Resources & Parks (originally sponsored by Senator Pearson)

READ FIRST TIME 02/16/17.

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 consistent with a process developed by the department for
10 translocation for monitoring or hoof disease management purposes.

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

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

16 (g) Specifying the statistical and biological reports required
17 from fishers, dealers, boathouses, or processors of wildlife, fish,
18 or shellfish.

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

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

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

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

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

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

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

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

37 (2)(a) Subsections (1)(a), (b), (c), (d), and (f) of this section
38 do not apply to private tideland owners and lessees and the immediate
39 family members of the owners or lessees of state tidelands, when they
40 take or possess oysters, clams, cockles, borers, or mussels,

1 excluding razor clams, produced on their own private tidelands or
2 their leased state tidelands for personal use.

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

6 (3) Except for subsection (1)(g) of this section, this section
7 does not apply to private sector cultured aquatic products as defined
8 in RCW 15.85.020. Subsection (1)(g) of this section does apply to
9 such products.

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

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

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

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