

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1282**

Chapter 210, Laws of 1995

54th Legislature  
1995 Regular Session

ANIMALS POSING A DANGER TO LIVESTOCK OR CROPS--AUTHORITY  
TO TRAP OR KILL INCREASED

EFFECTIVE DATE: 7/23/95

Passed by the House April 18, 1995  
Yeas 81 Nays 11

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CLYDE BALLARD

**Speaker of the  
House of Representatives**

Passed by the Senate April 6, 1995  
Yeas 46 Nays 0

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JOEL PRITCHARD

**President of the Senate**

Approved May 3, 1995

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MIKE LOWRY

**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1282** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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TIMOTHY A. MARTIN

**Chief Clerk**

FILED

May 3, 1995 - 11:36 a.m.

**Secretary of State  
State of Washington**

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HOUSE BILL 1282

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AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

State of Washington                      54th Legislature                      1995 Regular Session

By Representatives Fuhrman, Mastin, Buck, Goldsmith, Koster, Padden, Mulliken, Lambert, Crouse, Thompson, Basich, Hargrove, Sheldon, McMahan, Pelesky, Sheahan, Boldt and Elliot

Read first time 01/19/95. Referred to Committee on Natural Resources.

1            AN ACT Relating to certain animals posing a danger to livestock or  
2 crops; and amending RCW 77.12.265.

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

4            **Sec. 1.** RCW 77.12.265 and 1987 c 506 s 35 are each amended to read  
5 as follows:

6            The owner, the owner's immediate family member, the owner's  
7 documented employee, or tenant of real property may trap or kill on  
8 that property, without the licenses required under RCW 77.32.010, wild  
9 animals or wild birds, other than an endangered species, that ((is))  
10 are damaging crops, domestic animals, fowl, or other property. Except  
11 in emergency situations, deer, elk, and protected wildlife shall not be  
12 killed without a permit issued and conditioned by the director. The  
13 director may delegate this authority.

14            For the purposes of this section, "emergency" means an unforeseen  
15 circumstance beyond the control of the landowner or tenant that  
16 presents a real and immediate threat to crops, domestic animals, fowl,  
17 or other property.

18            Alternatively, when sufficient time for the issuance of a permit by  
19 the director is not available, verbal permission may be given by the

1 appropriate department regional administrator to owners or tenants of  
2 real property to trap or kill on that property any deer, elk, or  
3 protected wildlife which is damaging crops, domestic animals, fowl, or  
4 other property. The regional administrator may delegate, in writing,  
5 a member of the regional staff to give the required permission in these  
6 emergency situations. Nothing in this section authorizes in any  
7 situation the trapping, hunting, or killing of an endangered species.

8 Except for coyotes and Columbian ground squirrels, wildlife trapped  
9 or killed under this section remain((s)) the property of the state, and  
10 the person trapping or killing the wildlife shall notify the department  
11 immediately. The director shall dispose of wildlife so taken within  
12 three working days of receiving such a notification.

13 If the department receives recurring complaints regarding property  
14 being damaged as described in this section from the owner or tenant of  
15 real property, or receives such complaints from several such owners or  
16 tenants in a locale, the commission shall consider conducting a special  
17 hunt or special hunts to reduce the potential for such damage.

18 For purposes of this section, "crop" means an agricultural or  
19 horticultural product growing or harvested and includes wild shrubs and  
20 range land vegetation on privately owned cattle ranching lands. On  
21 such lands, the land owner or lessee may declare an emergency when the  
22 department has not responded within forty-eight hours after having been  
23 contacted by the land owner or lessee regarding crop damage by wild  
24 animals or wild birds. However, the department shall not allow claims  
25 for damage to wild shrubs or range land vegetation on such lands.

26 Deer and elk shall not be killed under the authority of this  
27 section on privately owned cattle ranching lands that were closed to  
28 public hunting during the previous hunting season, except for land  
29 closures which are coordinated with the department to protect property  
30 and livestock.

31 The department shall work closely with landowners and tenants  
32 suffering game damage problems to control damage without killing the  
33 animals when practical, to increase the harvest of damage-causing  
34 animals in hunting seasons, or to kill the animals when no other  
35 practical means of damage control is feasible.

36 For the purposes of this section, "immediate family member" means  
37 spouse, brother, sister, grandparent, parent, child, or grandchild.

Passed the House April 18, 1995.  
Passed the Senate April 6, 1995.  
Approved by the Governor May 3, 1995.  
Filed in Office of Secretary of State May 3, 1995.