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**SENATE BILL 5938**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Dansel and Benton

AN ACT Relating to providing for the partial delisting of the gray wolf by the fish and wildlife commission; amending RCW 77.12.020; adding a new section to chapter 77.12 RCW; and creating a new section.

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

**Sec.**  RCW 77.12.020 and 2014 c 202 s 302 are each amended to read as follows:

(1) The director shall investigate the habits and distribution of the various species of wildlife native to or adaptable to the habitats of the state. The commission shall determine whether a species should be managed by the department and, if so, classify it under this section.

(2) The commission may classify by rule wild animals as game animals and game animals as fur-bearing animals.

(3) The commission may classify by rule wild birds as game birds or predatory birds. All wild birds not otherwise classified are protected wildlife.

(4) In addition to those species listed in RCW 77.08.020, the commission may classify by rule as game fish other species of the class Osteichthyes that are commonly found in freshwater except those classified as food fish by the director.

(5) The director may recommend to the commission that a species of wildlife should not be hunted or fished. Except as provided in section 2 of this act, the commission may designate species of wildlife as protected.

(6) If the director determines that a species of wildlife is seriously threatened with extinction in the state of Washington, the director may request its designation as an endangered species. Except as provided in section 2 of this act, the commission may designate an endangered species.

(7) If the director determines that a species of the animal kingdom, not native to Washington, is dangerous to the environment or wildlife of the state, the director may request its designation as deleterious exotic wildlife. The commission may designate deleterious exotic wildlife.

(8) Upon recommendation by the director, the commission may develop a work plan to eradicate native aquatic species that threaten human health. Priority shall be given to water bodies that the department of health has classified as representing a threat to human health based on the presence of a native aquatic species.

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

The commission may not designate or maintain a designation for the gray wolf *(Canis lupus)* as an endangered, threatened, or sensitive species under RCW 77.12.020, or the rules adopted under that section, in any area of the state where the gray wolf was removed from the federal list of endangered and threatened wildlife, maintained by the secretary of the interior under the federal endangered species act, prior to June 30, 2014.

NEW SECTION. **Sec.**  The fish and wildlife commission must immediately amend WAC 232-12-014, as it existed on the effective date of this section, and any other rules necessary in order to conform to the requirements of section 2 of this act.

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