

2SSB 5474 - H COMM AMD

By Committee on Agriculture & Natural Resources

ADOPTED 04/10/2017

1 Strike everything after the enacting clause and insert the
2 following:

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

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

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

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

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

17 (c) Specifying and defining the gear, appliances, or other
18 equipment and methods that may be used to take wildlife, fish, or
19 shellfish, and specifying the times, places, and manner in which the
20 equipment may be used or possessed.

21 (d) Regulating the importation, transportation, possession,
22 disposal, landing, and sale of wildlife, fish, shellfish, or seaweed
23 within the state, whether acquired within or without the state.

24 However, the rules of the department must prohibit any person,
25 including department staff, from translocating a live elk from an
26 area with elk affected by hoof disease to any other location except:

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

30 (ii) Within an elk herd management plan area affected by hoof
31 disease.

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

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

6 (g) Specifying the statistical and biological reports required
7 from fishers, dealers, boathouses, or processors of wildlife, fish,
8 or shellfish.

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

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

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

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

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

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

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

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

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

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

36 (3) Except for subsection (1)(g) of this section, this section
37 does not apply to private sector cultured aquatic products as defined
38 in RCW 15.85.020. Subsection (1)(g) of this section does apply to
39 such products.

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

3 Subject to the availability of amounts appropriated for this
4 specific purpose, the legislature designates Washington State
5 University college of veterinary medicine as the state lead in
6 developing a program to monitor and assess causes of and potential
7 solutions for elk hoof disease. The college must establish an elk
8 monitoring system in southwest Washington in order to carry out this
9 mission. In conducting this work, the college must work
10 collaboratively with entities including the department, the state
11 veterinarian, and any tribes with interest in participating. The
12 college must provide regular updates, at minimum on an annual basis,
13 to the appropriate committees of the legislature and the commission
14 on its findings, program needs, and any recommendations.

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

18 Correct the title.

EFFECT: Retains all provisions of the underlying bill.

Allows elk to be relocated within an elk management plan area affected by elk hoof disease.

Requires elk translocation processes for monitoring or hoof disease management purposes to include input from affected federally recognized tribes.

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