

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1135

53rd Legislature
1993 Regular Session

Passed by the House April 22, 1993
Yeas 81 Nays 12

**Speaker of the
House of Representatives**

Passed by the Senate April 8, 1993
Yeas 39 Nays 3

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1135** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1135

AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By House Committee on Agriculture & Rural Development (originally sponsored by Representatives Kremen, Ballard, Linville, Foreman, Rayburn, Padden, R. Johnson, Grant, Schoesler, Lisk, Fuhrman, Morris, Morton, Brough, Sheahan, Finkbeiner, Quall, Miller and Anderson)

Read first time 02/22/93.

1 AN ACT Relating to alternative livestock; amending RCW 19.85.020,
2 77.08.010, 16.36.005, 16.36.010, 16.36.020, 16.36.050, 16.36.040,
3 16.36.060, 16.36.070, 16.36.080, 16.36.100, 16.57.010, and 16.52.010;
4 adding a new section to chapter 16.49A RCW; adding a new chapter to
5 Title 15 RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** The legislature declares that the husbandry
8 of alternative livestock as a farming operation may provide a
9 consistent source of healthful food, offers opportunities for new jobs
10 and increased farm income stability, and improves the balance of trade.

11 The legislature intends to establish a process to identify
12 vertebrate animal species that may be commercially raised in the state
13 of Washington.

14 The legislature finds that many areas of the state of Washington
15 may be suitable for alternative livestock farms, and therefore the
16 legislature encourages the promotion of alternative livestock farming
17 activities, programs, and development with the same status as other
18 agricultural activities, programs, and development within the state.

1 The legislature finds that alternative livestock farming should be
2 considered a branch of the agricultural industry of the state for
3 purposes of laws that apply to or provide for the advancement, benefit,
4 or protection of the agriculture industry within the state. The
5 legislature further finds, however, that alternative livestock farming
6 may pose threats to the state's wildlife, and therefore requires
7 effective regulation to minimize these threats.

8 It is therefore the policy of this state to encourage the
9 development and expansion of alternative livestock farming within the
10 state. It is also the policy of this state to protect wildlife and
11 existing traditional livestock industries by providing for effective
12 regulation of alternative livestock farming including but not limited
13 to a disease inspection and control program for alternative livestock
14 farming operations.

15 NEW SECTION. **Sec. 2.** Unless the context clearly requires
16 otherwise, the definitions in this section apply throughout this
17 chapter.

18 (1) "Alternative livestock" means those species designated under
19 the provisions of section 10 of this act so long as they are: Confined
20 by humans; raised or used in farm or ranch operations in the private
21 sector; and produced on the farm or ranch or legally acquired for the
22 farm or ranch. "Alternative livestock" shall not include: Resident
23 wildlife species that currently exist in a wild state in the state of
24 Washington; domestic dogs (*canis familiaris*) or domestic cats (*felis*
25 *domestica*); private sector aquatic products as defined in and regulated
26 under chapter 15.85 RCW; animals raised for release into the wild;
27 animals raised for the purpose of hunting that takes place in this
28 state; or fur farming and game farming as currently allowed and
29 regulated by chapters 16.72 and 77.32 RCW.

30 (2) "Alternative livestock farm or ranch" means the farm or ranch
31 upon which alternative livestock are reared and shall not include
32 publicly and privately owned facilities for which a license or permit
33 is required under RCW 77.12.570 or 77.32.010.

34 (3) "Alternative livestock products" means the agricultural
35 products of alternative livestock including, but not limited to, meat
36 and meat products, velvet, antlers, horns, leather, hides, feathers,
37 eggs, gametes, and genetic materials. "Alternative livestock products"

1 does not include a product that is required to be identified under
2 section 5 of this act and is not identified as required.

3 (4) "Department" means the department of agriculture.

4 (5) "Traditional livestock" means horses, mules, cattle, sheep,
5 swine, goats, poultry, and rabbits regulated by the department of
6 agriculture. Other species may be designated jointly by the director
7 of agriculture and director of wildlife pursuant to section 10 of this
8 act.

9 NEW SECTION. **Sec. 3.** The department is the principal state agency
10 for providing state marketing support services for the alternative
11 livestock industry. The department shall exercise its authorities,
12 including those provided by chapters 15.64, 15.65, 15.66, and 43.23
13 RCW, to develop a program for assisting the alternative livestock
14 industry to market and promote the use of its products. The department
15 shall consult the alternative livestock council in developing the
16 program.

17 NEW SECTION. **Sec. 4.** It is unlawful to hunt or allow others to
18 hunt for a fee, any alternative livestock reared on or derived from an
19 alternative livestock farm.

20 NEW SECTION. **Sec. 5.** The director of agriculture shall, in
21 consultation with the director of wildlife and the alternative
22 livestock council, establish methods of identification requirements,
23 such as tattoos, branding, or eartags, for alternative livestock and
24 alternative livestock products to the extent that identifying the
25 livestock or the source or quantity of the products is necessary to
26 permit the department of wildlife to effectively administer and enforce
27 Title 77 RCW. The director shall also consult with the director of the
28 department of wildlife to ensure that such rules enable the department
29 of wildlife to enforce the programs administered under that title.

30 NEW SECTION. **Sec. 6.** The department of agriculture shall, in
31 consultation with the department of wildlife and other interests,
32 develop a program of disease inspection and control for alternative
33 livestock. The purpose of the program is to protect the traditional
34 and alternative livestock industries from the loss of animals or
35 productivity to disease and to protect wildlife in this state.

1 The department of agriculture shall adopt new or amend existing
2 rules in conformance with chapter 34.05 RCW. The department of
3 agriculture shall administer a program of disease inspection and
4 control for alternative livestock. As used in this section "disease"
5 means, in addition to its ordinary meaning, infestations of parasites
6 or pests.

7 NEW SECTION. **Sec. 7.** The owner of a farm or ranch for alternative
8 livestock shall register the farm or ranch annually with the department
9 of agriculture. The director shall develop and maintain a registration
10 list of all alternative livestock farms and ranches. Registered
11 alternative livestock farms and ranches shall provide the department
12 production statistical data. The director of agriculture and the
13 director of wildlife shall, in consultation with the alternative
14 livestock council, establish by rule reasonable annual registration
15 fees sufficient to cover the costs of development of rules and the
16 administration of this chapter and the rules adopted under this
17 chapter. Fees may differ between species based upon factors including
18 but not limited to economic value, degree of services required, and
19 complexity of regulations. Fees collected under this section shall be
20 deposited in the alternative livestock farm account within the
21 agricultural local fund established in RCW 43.23.230 and the wildlife
22 fund established in RCW 77.12.170 and shall be used solely to carry out
23 the provisions of this chapter.

24 NEW SECTION. **Sec. 8.** The director of agriculture and the director
25 of wildlife shall study the needs for assuring adequate fences or other
26 methods of enclosure for various species of alternative livestock. The
27 directors shall jointly adopt rules establishing enclosure standards
28 for one or more types of alternative livestock as deemed necessary to
29 assure adequate protection to traditional livestock, wildlife, and
30 alternative livestock.

31 If an animal is not enclosed as required for the animal in rules
32 adopted under this section or if it is found by a state wildlife or
33 agricultural official or local law enforcement officer outside an area
34 of an enclosure that is required for it in rules adopted under this
35 section, the animal so unenclosed or so found is hereby declared to be
36 a public nuisance. An owner of alternative livestock may request
37 assistance from the department of agriculture, department of wildlife,

1 or local law enforcement office in recapturing escaped alternative
2 livestock and may be billed for the cost of services rendered.

3 Alternative livestock that escape a required enclosure and are
4 recaptured may be impounded at a suitable facility at the owner's
5 expense. Animals may not be returned to the owner's premises until
6 sufficient repairs or improvements are made to assure that release will
7 not reoccur. The owner of the animal is liable for damages that are
8 shown to be caused by the animal during the time of the escape.

9 NEW SECTION. **Sec. 9.** Growers of nontraditional animals shall
10 register with the department of agriculture within one hundred eighty
11 days of the effective date of this act. This registration will not in
12 any way be construed to initiate the petition for designation process
13 established in section 10 of this act. The legal status of a species
14 that on the effective date of this act is present in the state and
15 registered in accordance with this section does not change unless the
16 directors jointly adopt rules about the registered species.

17 NEW SECTION. **Sec. 10.** (1) A vertebrate animal identification
18 process is hereby established. The purpose of the process is to
19 provide a method by which animals are classified as alternative or
20 traditional livestock.

21 (2) Species that are designated as traditional livestock shall be
22 regulated by the department of agriculture. Species in addition to
23 those specified in section 2(5) of this act may be designated as
24 traditional livestock by joint rule adopted by the department of
25 wildlife and the department of agriculture.

26 (3) A species may be petitioned for regulation by the director of
27 wildlife, the director of agriculture, or any person registering under
28 section 9 of this act by filing with either department a completed
29 written petition requesting the joint regulation of a species under
30 this chapter.

31 (4) The two directors may decide if and how a species is to be
32 regulated through jointly adopted rules. Each determination shall be
33 in writing and shall be published in the Washington State Register.

34 (5) If the two directors do not reach agreement as to whether and
35 how a species should be regulated under this chapter, a scientific
36 review board shall be convened in accordance with section 11 of this
37 act and shall make a written recommendation to the directors as to the

1 status of the species in question. Should the directors fail to agree
2 within thirty days after receipt of such recommendation, the
3 determination shall be made by the governor.

4 (6) Resident wildlife shall be regulated by the department of
5 wildlife and may not be classified under this chapter as alternative
6 livestock except as provided in section 12 of this act.

7 (7)(a) Any species that is not present in the state as of the
8 effective date of this act, may be petitioned by any person for
9 possible regulation and such petition acted upon under this section
10 prior to entry for allowance or prohibition as alternative livestock.

11 (b) The legal status of a species that on the effective date of
12 this act is present in the state and registered in accordance with
13 section 9 of this act does not change unless the directors jointly
14 adopt rules about the registered species.

15 NEW SECTION. **Sec. 11.** (1) A scientific review board, convened
16 pursuant to section 10 of this act shall consist of three members. One
17 member shall be appointed by the director of the department of
18 wildlife, one member shall be appointed by the director of the
19 department of agriculture, and one member shall be appointed jointly by
20 these two members. The members that are appointed by the two
21 departments must have qualifications that are appropriate to their
22 responsibilities under this chapter. All three members must be
23 residents of the state of Washington prior to appointment.

24 (2) The board may take testimony and seek other expert advice.

25 (3) All meetings of the board shall be public.

26 (4) The board may hold public hearings and take public testimony
27 before making a written recommendation concerning whether a species is
28 prohibited or allowed under section 10 of this act.

29 (5) All recommendations concerning whether a species is to be
30 regulated under this chapter shall be written and shall include
31 findings of fact. Recommendations shall be published in the Washington
32 State Register.

33 (6) The board shall attend all public hearings held on the adoption
34 of proposed rules under this chapter, review existing agency rules that
35 pertain to the issues addressed by this chapter, review the rules
36 proposed under this chapter, and provide comments and recommendations
37 to the departments regarding the need, adequacy, and workability of the
38 proposed rules.

1 NEW SECTION. **Sec. 12.** Wildlife species that exist in a wild state
2 in the state of Washington are not alternative livestock and may not be
3 farmed except as provided in this section. By joint rule, which shall
4 include methods that will ensure genetic integrity, the directors of
5 the department of agriculture and the department of wildlife may allow
6 rocky mountain elk (*cervus elaphus nelsoni*) to be farmed in the same
7 status and under the same regulatory provisions as alternative
8 livestock. The directors shall, within ninety days of the adoption of
9 the rule, jointly prepare a report on the rule adopted under this
10 section, which shall include specific detail on the methods used to
11 determine genetic integrity of farmed rocky mountain elk (*cervus*
12 *elaphus nelsoni*). Within two years of the adoption of the rule, the
13 directors shall jointly prepare a report on the status of operations
14 conducted under the provisions of the rule. The reports shall be
15 transmitted to the chairs of the house of representatives committees on
16 agriculture and rural development and fisheries and wildlife and the
17 senate committees on agriculture and natural resources.

18 NEW SECTION. **Sec. 13.** (1) If rule making under this chapter
19 restricts the economic utilization of a species being raised for
20 commercial purposes in the state, then the provisions of chapter 19.85
21 RCW shall apply and a small business economic impact statement shall be
22 prepared. Such activity shall be considered as an industry for the
23 purpose of RCW 19.85.020.

24 (2) The department of agriculture and the department of wildlife,
25 in consultation with the attorney general, shall develop a report
26 containing findings and recommendations regarding the establishment of
27 an indemnification policy. Such report shall be delivered by December
28 15, 1993, to the secretary of the senate and the speaker of the house
29 of representatives.

30 **Sec. 14.** RCW 19.85.020 and 1989 c 374 s 1 are each amended to read
31 as follows:

32 Unless the context clearly indicates otherwise, the definitions in
33 this section apply through this chapter.

34 (1) "Small business" has the meaning given in RCW 43.31.025(4).

35 (2) "Small business economic impact statement" means a statement
36 meeting the requirements of RCW 19.85.040 prepared by a state agency
37 pursuant to RCW 19.85.030.

1 (3) "Industry" means all of the businesses in this state in any one
2 three-digit standard industrial classification as published by the
3 United States department of commerce and those specifically declared to
4 be an industry by a provision of state law.

5 NEW SECTION. **Sec. 15.** The director of agriculture and the
6 director of wildlife shall develop by rule the requirements for
7 documents, data, scientific evidence, or other items to be submitted
8 that will constitute a completed written petition for the purpose of
9 section 10(4) of this act. The directors shall develop criteria upon
10 which to make evaluations as to whether and how petitioned species will
11 be regulated.

12 The department of agriculture and the department of wildlife may
13 adopt rules in accordance with chapter 34.05 RCW to carry out the
14 provisions of this chapter.

15 NEW SECTION. **Sec. 16.** The alternative livestock council is
16 created. The council shall consist of seven persons. Four members of
17 the council shall be appointed by the director of agriculture to three-
18 year terms. Three members of the council shall be appointed by the
19 director of the department of wildlife to three-year terms. The
20 directors may shorten the initial term for a position on the council to
21 stagger the expiration of terms on the council. Vacancies on the
22 council shall be filled by each director by appointment. The council
23 shall advise the departments on all aspects of alternative livestock
24 farming and the regulation and marketing of alternative livestock and
25 alternative livestock products.

26 NEW SECTION. **Sec. 17.** All rules of the department of wildlife and
27 the department of agriculture that are inconsistent with the provisions
28 of chapter . . . , Laws of 1993 (this act), shall be amended or repealed
29 to comply with chapter . . . , Laws of 1993 (this act).

30 **Sec. 18.** RCW 77.08.010 and 1989 c 297 s 7 are each amended to read
31 as follows:

32 As used in this title or rules adopted pursuant to this title,
33 unless the context clearly requires otherwise:

- 34 (1) "Director" means the director of wildlife.
35 (2) "Department" means the department of wildlife.

1 (3) "Commission" means the state wildlife commission.

2 (4) "Person" means and includes an individual, a corporation, or a
3 group of two or more individuals acting with a common purpose whether
4 acting in an individual, representative, or official capacity.

5 (5) "Wildlife agent" means a person appointed and commissioned by
6 the director, with authority to enforce laws and rules adopted pursuant
7 to this title, and other statutes as prescribed by the legislature.

8 (6) "Ex officio wildlife agent" means a commissioned officer of a
9 municipal, county, state, or federal agency having as its primary
10 function the enforcement of criminal laws in general, while the officer
11 is in the appropriate jurisdiction. The term "ex officio wildlife
12 agent" includes fisheries patrol officers, special agents of the
13 national marine fisheries commission, state parks commissioned
14 officers, United States fish and wildlife special agents, department of
15 natural resources enforcement officers, and United States forest
16 service officers, while the agents and officers are within their
17 respective jurisdictions.

18 (7) "To hunt" and its derivatives means an effort to kill, injure,
19 capture, or harass a wild animal or wild bird.

20 (8) "To trap" and its derivatives means a method of hunting using
21 devices to capture wild animals or wild birds.

22 (9) "To fish" and its derivatives means an effort to kill, injure,
23 harass, or catch a game fish.

24 (10) "Open season" means those times, manners of taking, and places
25 or waters established by rule of the commission for the lawful hunting,
26 fishing, or possession of game animals, game birds, or game fish.
27 "Open season" includes the first and last days of the established time.

28 (11) "Closed season" means all times, manners of taking, and places
29 or waters other than those established as an open season.

30 (12) "Closed area" means a place where the hunting of some species
31 of wild animals or wild birds is prohibited.

32 (13) "Closed waters" means all or part of a lake, river, stream, or
33 other body of water, where fishing for game fish is prohibited.

34 (14) "Game reserve" means a closed area where hunting for all wild
35 animals and wild birds is prohibited.

36 (15) "Bag limit" means the maximum number of game animals, game
37 birds, or game fish which may be taken, caught, killed, or possessed by
38 a person, as specified by rule of the commission for a particular
39 period of time, or as to size, sex, or species.

1 (16) "Wildlife" means all species of the animal kingdom whose
2 members exist in Washington in a wild state. This includes but is not
3 limited to mammals, birds, reptiles, amphibians, fish, and
4 invertebrates. The term "wildlife" does not include feral domestic
5 mammals, the family Muridae of the order Rodentia (old world rats and
6 mice), or those fish, shellfish, and marine invertebrates classified by
7 the director of fisheries. The term "wildlife" includes all stages of
8 development and the bodily parts of wildlife members.

9 (17) "Wild animals" means those species of the class Mammalia whose
10 members exist in Washington in a wild state and the species Rana
11 catesbeiana (bullfrog). The term "wild animal" does not include feral
12 domestic mammals or the family Muridae of the order Rodentia (old world
13 rats and mice).

14 (18) "Wild birds" means those species of the class Aves whose
15 members exist in Washington in a wild state.

16 (19) "Protected wildlife" means wildlife designated by the
17 commission that shall not be hunted or fished.

18 (20) "Endangered species" means wildlife designated by the
19 commission as seriously threatened with extinction.

20 (21) "Game animals" means wild animals that shall not be hunted
21 except as authorized by the commission.

22 (22) "Fur-bearing animals" means game animals that shall not be
23 trapped except as authorized by the commission.

24 (23) "Game birds" means wild birds that shall not be hunted except
25 as authorized by the commission.

26 (24) "Predatory birds" means wild birds that may be hunted
27 throughout the year as authorized by the commission.

28 (25) "Deleterious exotic wildlife" means species of the animal
29 kingdom not native to Washington and designated as dangerous to the
30 environment or wildlife of the state but excluding traditional
31 livestock as defined in section 2(5) of this act.

32 (26) "Game farm" means property on which wildlife is held or raised
33 for commercial purposes, trade, or gift. The term "game farm" does not
34 include publicly owned facilities.

35 (27) "Person of disability" means a permanently disabled person who
36 is not ambulatory without the assistance of a wheelchair, crutches, or
37 similar devices.

1 NEW SECTION. **Sec. 19.** A new section is added to chapter 16.49A
2 RCW to read as follows:

3 (1) Meat and meat by-products of alternative livestock, as defined
4 in section 2 of this act, whether or not such meat, meat by-products,
5 or animals originate from within the state, shall not be sold or
6 distributed for public consumption without prior inspection by the
7 department, the United States department of agriculture, or another
8 department-recognized local, state, or federal agency responsible for
9 food safety and inspection.

10 (2) The department may adopt rules establishing a program for
11 inspecting meat and meat by-products of alternative livestock. Such
12 rules shall include a fee schedule that will provide for the recovery
13 of the full cost of the inspection program. Fees collected under this
14 section shall be deposited in an account within the agricultural local
15 fund and the revenue from such fees shall be used solely for carrying
16 out the provisions of this section. No appropriation is required for
17 disbursement from the account. The director may employ such personnel
18 as are necessary to carry out the provisions of this section.

19 **Sec. 20.** RCW 16.36.005 and 1987 c 163 s 1 are each amended to read
20 as follows:

21 As used in this chapter:

22 "Alternative livestock" shall have the meaning as defined in
23 section 2 of this act.

24 "Exotic wildlife" means any wild animal whose members do not exist
25 in Washington in a wild state as of the effective date of this act but
26 does not include alternative livestock as defined in section 2 of this
27 act.

28 "Director" means the director of agriculture of the state of
29 Washington or his authorized representative.

30 "Department" means the department of agriculture of the state of
31 Washington.

32 "Garbage" means the solid animal and vegetable waste and offal
33 together with the natural moisture content resulting from the handling,
34 preparation, or consumption of foods in houses, restaurants, hotels,
35 kitchens, markets, meat shops, packing houses and similar
36 establishments or any other food waste containing meat or meat
37 products.

1 "Veterinary biologic" means any virus, serum, toxin, and analogous
2 product of natural or synthetic origin, or product prepared from any
3 type of genetic engineering, such as diagnostics, antitoxins, vaccines,
4 live microorganisms, killed microorganisms, and the antigenic or
5 immunizing components intended for use in the diagnosis, treatment, or
6 prevention of diseases in animals.

7 **Sec. 21.** RCW 16.36.010 and 1927 c 165 s 2 are each amended to read
8 as follows:

9 The word "quarantine" as used in this act shall mean the placing
10 and restraining of any animal or animals by the owner or agents in
11 charge thereof, either within a certain described and designated
12 enclosure or area within this state, or the restraining of any such
13 animal or animals from entering this state, as may be directed in
14 writing by the director of agriculture, or his or her duly authorized
15 representative. Any animal or animals so quarantined within the state
16 shall at all times be kept separate and apart from other ((domestic))
17 animals and not allowed to have anything in common therewith.

18 **Sec. 22.** RCW 16.36.020 and 1987 c 163 s 2 are each amended to read
19 as follows:

20 The director shall have general supervision of the prevention of
21 the spread and the suppression of infectious, contagious, communicable
22 and dangerous diseases affecting animals within, in transit through and
23 being imported into the state. The director may establish and enforce
24 quarantine of and against any and all ((domestic)) animals which are
25 affected with any such disease or that may have been exposed to others
26 thus affected, whether within or without the state, for such length of
27 time as he or she deems necessary to determine whether any such animal
28 is infected with any such disease. The director shall also enforce and
29 administer the provisions of this chapter pertaining to garbage feeding
30 and when garbage has been fed to swine, the director may require the
31 disinfection of all facilities, including yard, transportation and
32 feeding facilities, used for keeping such swine.

33 The director shall also have the authority to regulate the sale,
34 distribution, and use of veterinary biologics in the state and may
35 adopt rules to restrict the sale, distribution, or use of any
36 veterinary biologic in any manner the director determines to be

1 necessary to protect the health and safety of the public and the
2 state's animal population.

3 The director shall also have the authority to adopt rules governing
4 the importation and care of alternative livestock. In adopting the
5 rules, the department shall consult with the department of wildlife of
6 the state of Washington.

7 **Sec. 23.** RCW 16.36.050 and 1979 c 154 s 11 are each amended to
8 read as follows:

9 It is unlawful for a person to intentionally falsely make,
10 complete, alter, use, or sign an animal health certificate, certificate
11 of veterinary inspection, or official written animal health instrument
12 of the department of agriculture. It ((shall be)) is unlawful for any
13 person, or any railroad or transportation company, or other common
14 carrier, to bring into this state for any purpose any domestic animals,
15 exotic wildlife, or alternative livestock without first having secured
16 an official health certificate or certificate of veterinary inspection,
17 certified by the state veterinarian of origin that such animals meet
18 the health requirements ((promulgated)) adopted by the director of
19 agriculture of the state of Washington((:—PROVIDED, That)). This
20 section shall not apply to domestic animals imported into this state
21 for immediate slaughter, or domestic animals imported for the purpose
22 of unloading for feed, rest, and water, for a period not in excess of
23 twenty-eight hours except upon prior permit therefor secured from the
24 director of agriculture. It ((shall be)) is unlawful for any person to
25 divert en route for other than to an approved, inspected stockyard for
26 immediate slaughter or to sell for other than immediate slaughter or to
27 fail to slaughter within fourteen days after arrival, any animal
28 imported into this state for immediate slaughter. It ((shall be)) is
29 unlawful for any person, railroad, transportation company, or other
30 common carrier, to keep any domestic animals which are unloaded for
31 feed, rest and water in other than quarantined pens, or not to report
32 any missing animals to the director of agriculture at the time the
33 animals are reloaded.

34 **Sec. 24.** RCW 16.36.040 and 1979 c 154 s 10 are each amended to
35 read as follows:

36 The director of agriculture shall have power to ((promulgate))
37 adopt and enforce such reasonable rules((, regulations)) and orders as

1 he or she may deem necessary or proper to prevent the introduction or
2 spreading of infectious, contagious, communicable, or dangerous
3 diseases affecting domestic animals, exotic wildlife, or alternative
4 livestock in this state, and to (~~promulgate~~) adopt and enforce such
5 reasonable rules(~~(, regulations))~~ and orders as he or she may deem
6 necessary or proper governing the inspection and test of all animals
7 within or about to be imported into this state, and to (~~promulgate~~)
8 adopt and enforce (~~intereounty~~) intrastate embargoes, hold orders,
9 and quarantine (~~to prevent the shipment, trailing, trucking,~~
10 ~~transporting or movement of bovine animals from any county that has not~~
11 ~~been declared modified accredited by the United States department of~~
12 ~~agriculture, animal and plant health inspection service, for~~
13 ~~tuberculosis and/or certified brucellosis free, into a county which has~~
14 ~~been declared modified accredited by the United States department of~~
15 ~~agriculture, animal and plant health inspection service, for~~
16 ~~tuberculosis and/or certified brucellosis free, unless such animals are~~
17 ~~accompanied by a negative certificate of tuberculin test made within~~
18 ~~sixty days and/or a negative brucellosis test made within the forty-~~
19 ~~five day period prior to the movement of such animal into such county,~~
20 ~~issued by a duly authorized veterinary inspector of the state~~
21 ~~department of agriculture, or of the United States department of~~
22 ~~agriculture, animal and plant health inspection service, or an~~
23 ~~accredited veterinarian authorized by permit issued by the director of~~
24 ~~agriculture to execute such certificate)).~~

25 **Sec. 25.** RCW 16.36.060 and 1985 c 415 s 2 are each amended to read
26 as follows:

27 It (~~shall be~~) is unlawful for any person to willfully hinder,
28 obstruct, or resist the director of agriculture or any duly authorized
29 representative, or any peace officer acting under him or her or them,
30 when engaged in the performance of the duties or in the exercise of the
31 powers conferred by this chapter, and it shall be unlawful for any
32 person to willfully fail to comply with or violate any rule(~~(, regulation))~~ or order (~~promulgated~~) adopted by the director of
33 agriculture or his or her duly authorized representatives under the
34 provisions of this chapter. The director of agriculture shall have the
35 authority under such rules (~~and regulations~~) as shall be
36 (~~promulgated~~) adopted by (~~him~~) the director to enter at any
37 reasonable time the premises of any (~~livestock~~) domestic animals,
38

1 exotic wildlife, or alternative livestock owner to make tests on any
2 animals for diseased conditions, and it (~~shall be~~) is unlawful for
3 any person to interfere with such tests in any manner, or to violate
4 any segregation or identification order made in connection with such
5 tests by the director of agriculture, or his or her duly authorized
6 representative.

7 **Sec. 26.** RCW 16.36.070 and 1947 c 172 s 6 are each amended to read
8 as follows:

9 Whenever a majority of any board of health, board of county
10 commissioners, city council or other governing body of any incorporated
11 city or town, or trustees of any township, whether in session or not,
12 shall, in writing or by telegraph, notify the director of agriculture
13 of the prevalence of or probable danger of infection from any of the
14 diseases of domestic animals, exotic wildlife, or alternative livestock
15 the director of agriculture personally, or by the supervisor of dairy
16 and livestock, or by a duly appointed and deputized veterinarian of the
17 division of (~~dairy and livestock~~) food safety and animal health,
18 shall at once go to the place designated in said notice and take such
19 action as the exigencies may in his or her judgment demand, and may in
20 case of an emergency appoint deputies or assistants, with equal power
21 to act. The compensation to be paid such emergency deputies and
22 assistants, shall be fixed by the director of agriculture in conformity
23 with the standards effective in the locality in which the services are
24 performed.

25 **Sec. 27.** RCW 16.36.080 and 1947 c 172 s 7 are each amended to read
26 as follows:

27 It (~~shall be~~) is unlawful for any person registered to practice
28 veterinary medicine, surgery and dentistry in this state not to
29 immediately report in writing to the director of agriculture the
30 discovery of the existence or suspected existence among domestic
31 animals, exotic wildlife, or alternative livestock within the state of
32 any reportable diseases as published by the director of agriculture.

33 **Sec. 28.** RCW 16.36.100 and 1927 c 165 s 10 are each amended to
34 read as follows:

35 The governor and the director of agriculture shall have the power
36 to cooperate with the government of the United States in the prevention

1 and eradication of diseases of domestic animals, exotic wildlife, or
2 alternative livestock and the governor shall have the power to receive
3 and receipt for any moneys receivable by this state under the
4 provisions of any act of congress and pay the same into the hands of
5 the state treasurer as custodian for the state to be used and expended
6 in carrying out the provisions of this act and the act or acts of
7 congress under which said moneys are paid over to the state.

8 **Sec. 29.** RCW 16.57.010 and 1989 c 286 s 22 are each amended to
9 read as follows:

10 For the purpose of this chapter:

11 (1) "Department" means the department of agriculture of the state
12 of Washington.

13 (2) "Director" means the director of the department or a duly
14 appointed representative.

15 (3) "Person" means a natural person, individual, firm, partnership,
16 corporation, company, society, and association, and every officer,
17 agent or employee thereof. This term shall import either the singular
18 or the plural as the case may be.

19 (4) "Livestock" includes, but is not limited to, horses, mules,
20 cattle, sheep, swine, goats, poultry (~~and~~), rabbits, and alternative
21 livestock as defined in section 2 of this act.

22 (5) "Brand" means a permanent fire brand or any artificial mark,
23 other than an individual identification symbol, approved by the
24 director to be used in conjunction with a brand or by itself.

25 (6) "Production record brand" means a number brand which shall be
26 used for production identification purposes only.

27 (7) "Brand inspection" means the examination of livestock or
28 livestock hides for brands or any means of identifying livestock or
29 livestock hides and/or the application of any artificial identification
30 such as back tags or ear clips necessary to preserve the identity of
31 the livestock or livestock hides examined.

32 (8) "Individual identification symbol" means a permanent mark
33 placed on a horse for the purpose of individually identifying and
34 registering the horse and which has been approved for use as such by
35 the director.

36 (9) "Registering agency" means any person issuing an individual
37 identification symbol for the purpose of individually identifying and
38 registering a horse.

1 **Sec. 30.** RCW 16.52.010 and 1901 c 146 s 17 are each amended to
2 read as follows:

3 In RCW 16.52.010 through 16.52.055, 16.52.070 through 16.52.090 and
4 16.52.100 through 16.52.180 the singular shall include the plural; the
5 word "animal" shall be held to include every living creature, except
6 man; the words "torture," "torment," and "cruelty," shall be held to
7 include every act, omission, or neglect whereby unnecessary or
8 unjustifiable physical pain or suffering is caused or permitted; and
9 the words "owner" and "person" shall be held to include corporations as
10 well as individuals; and the knowledge and acts of agents of and
11 persons employed by corporations in regard to animals transported,
12 owned, or employed by, or in the custody of such corporations, shall be
13 held to be the act and knowledge of such corporations as well as of
14 such agents or employees.

15 "Domestic animal" for the purposes of this chapter shall include
16 alternative livestock as defined in section 2 of this act.

17 NEW SECTION. **Sec. 31.** Sections 1 through 13, 15, and 16 of this
18 act shall constitute a new chapter in Title 15 RCW.

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