
SUBSTITUTE SENATE BILL 5418

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Agriculture (originally sponsored by Senators M. Rasmussen, Anderson, Loveland, Barr, Roach, Prince, Oke, Haugen, Erwin, Owen, Newhouse and Amondson)

Read first time 02/19/93.

1 AN ACT Relating to alternative livestock; amending RCW 77.08.010,
2 77.32.010, 77.12.570, 77.12.580, 77.12.590, 77.12.600, 16.57.010,
3 77.12.020, 16.36.005, 16.36.010, 16.36.020, 16.36.050, 16.36.040,
4 16.36.060, 16.36.070, 16.36.080, 16.36.100, and 16.52.010; adding a new
5 section to chapter 77.04 RCW; adding a new section to Title 16 RCW;
6 adding a new section to chapter 16.49A RCW; adding a new chapter to
7 Title 15 RCW; and prescribing penalties.

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

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

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

18 The legislature finds that alternative livestock farming should be
19 considered a branch of the agricultural industry of the state for

1 purposes of any laws that apply to or provide for the advancement,
2 benefit, or protection of the agriculture industry within the state.

3 It is therefore the policy of this state to encourage the
4 development and expansion of alternative livestock farming within the
5 state. It is also the policy of this state to protect wildlife and
6 existing traditional livestock industries by providing an effective
7 disease inspection and control program for alternative livestock
8 farming operations.

9 NEW SECTION. **Sec. 2.** Unless the context clearly requires
10 otherwise, the definitions in this section apply throughout this
11 chapter.

12 (1) "Alternative livestock" means those nontraditional vertebrate
13 livestock, that include ungulates and those species of fowl that are
14 reared for its meat or other products, so long as they are: Confined
15 by humans; raised or used in farm or ranch operations in the private
16 sector; and produced on the farm or ranch or legally acquired for the
17 farm or ranch. "Alternative livestock" shall not include: Native
18 wildlife species that currently exist in a wild state in the state of
19 Washington unless such specie is now raised on an alternative livestock
20 farm or ranch in the state of Washington; traditional livestock,
21 including but not limited to horses, cattle, domesticated sheep, goats
22 and pigs, ratites, llamas and alpacas; animals identified as being
23 those which cannot be introduced, maintained, or possessed as
24 alternative livestock in rules adopted under section 4(3) of this act;
25 a domestic dog (*canis familiaris*) or domestic cat (*felis domestica*);
26 private sector aquatic products as defined in and regulated under
27 chapter 15.85 RCW; an animal raised for release into the wild; an
28 animal raised for the purpose of hunting that takes place in this
29 state; an animal that is required to be identified under section 5 of
30 this act and is not identified as required; or an animal located on,
31 purchased from, or being transported to or from a farm or ranch that is
32 required to be registered under section 6 of this act but that is not
33 registered as required at the time the livestock is located on,
34 purchased from, or being transported to or from the farm or ranch.

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

1 (3) "Alternative livestock products" means the products of
2 alternative livestock including, but not limited to, meat and meat
3 products, velvet, antlers, horns, leather, hides, feathers, eggs,
4 gametes, and genetic materials. "Alternative livestock products" does
5 not include a product that is required to be identified under section
6 5 of this act and is not identified as required.

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

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

16 NEW SECTION. **Sec. 4.** (1) Any authority of the department of
17 wildlife to regulate alternative livestock is limited to the authority
18 granted by this act.

19 (2) The department of agriculture and the department of wildlife
20 shall study the needs for assuring adequate fences or other methods of
21 enclosure for various species of alternative livestock. The directors
22 shall jointly adopt rules establishing fencing standards as deemed
23 necessary to assure adequate protection to traditional farm animals,
24 wildlife, and alternative livestock that would result from the possible
25 escape of alternative livestock.

26 (3) The department of agriculture and the department of wildlife
27 shall also jointly adopt rules that identify animals that cannot be
28 introduced, maintained, or possessed in this state as alternative
29 livestock because the animals, through their presence in captivity or
30 their escape from confinement, would likely: (a) Cause extensive
31 environmental damage; (b) compete for resources with animals found in
32 the wild in the state and the competition would be of significant risk
33 or detriment to those wild animals; (c) cross-breed with animal species
34 found in the wild in this state resulting in new and undesirable
35 hybrids; or (d) breed with animals found in the wild in this state
36 resulting in animals which would do (a), (b), or (c) of this
37 subsection.

1 (4) The director of agriculture shall develop and administer a
2 program of disease inspection and control for alternative livestock.
3 The purpose of the program is to protect the alternative livestock
4 industry from the loss of animals or productivity to disease, to
5 protect the traditional livestock industry, and to protect wildlife in
6 this state. As used in this section "disease" means, in addition to
7 its ordinary meaning, infestations of parasites or pests.

8 (5) The department of agriculture, in consultation with the
9 department of wildlife, representatives of the traditional livestock
10 industry, representatives of the alternative livestock industry and
11 other interests, shall review existing animal health laws and rules
12 governing alternative livestock as the laws and rules pertain to the
13 prevention of introduction or spread of a disease or parasite harmful
14 to humans or other animals including livestock, poultry, wildlife, or
15 alternative livestock. The department of agriculture shall adopt new
16 rules or amend existing rules to assure a proper disease prevention and
17 control program is established.

18 (6) There shall be assembled a scientific rules review board
19 composed of the following members:

20 (a) The chair, or his or her designee, from the natural resource
21 science department, formerly the wildlife biology department, at
22 Washington State University;

23 (b) The chair, or his or her designee, from the school of
24 veterinary medicine at Washington State University; and

25 (c) The chair, or his or her designee, from the state veterinary
26 board of governors.

27 The scientific rules review board shall attend the public hearings
28 held on the adoption of proposed rules under this chapter, review
29 existing agency rules that pertain to the issues addressed by this
30 chapter, review the rules proposed pursuant to this chapter, and
31 provide comments and recommendations to the departments regarding the
32 need, adequacy, and workability of the proposed rules. The directors
33 shall seriously consider the comments and recommendations made by the
34 scientific rules review board, and if all written recommendations are
35 not adopted, reasons for not adopting the recommendations shall be
36 reduced to writing and placed in the rule's permanent file.

37 (7) Rules adopted under this section are subject to provisions of
38 the regulatory fairness act, chapter 19.85 RCW, and the administrative
39 procedure act, chapter 34.05 RCW.

1 NEW SECTION. **Sec. 5.** The director of agriculture shall, in
2 consultation with the alternative livestock council, establish
3 identification requirements for alternative livestock and alternative
4 livestock products to the extent that identifying the livestock or the
5 source or quantity of the products is necessary to permit the
6 department of wildlife to effectively administer and enforce Title 77
7 RCW. The director shall also consult with the director of the
8 department of wildlife to ensure that such rules enable the department
9 of wildlife to enforce the programs administered under that title.

10 NEW SECTION. **Sec. 6.** All persons engaged in the farming or
11 ranching of alternative livestock shall register annually with the
12 department of agriculture. The director shall develop and maintain a
13 registration list of all alternative livestock farms and ranches.
14 Registered alternative livestock farms and ranches shall provide the
15 department production statistical data.

16 The director of agriculture shall, upon advice from the alternative
17 livestock council, establish by rule annual registration fees
18 sufficient to cover the costs of development of rules and the
19 administration of this chapter and rules adopted under this chapter.
20 Fees collected under this section shall be deposited in an account
21 within the agricultural local fund and the revenue from such fees shall
22 be used solely for carrying out the provisions of this chapter.

23 NEW SECTION. **Sec. 7.** The department of agriculture shall adopt
24 rules for administering this chapter. Rules shall be adopted in
25 accordance with chapter 34.05 RCW.

26 In developing and adopting rules under section 4 of this act, the
27 department of agriculture shall consult the alternative livestock
28 council, the department of wildlife, appropriate federal agencies, and
29 Indian tribes to assure the protection of state, federal, and tribal
30 wildlife resources and to protect alternative livestock from disease
31 that could originate from resources regulated or managed by public
32 entities.

33 NEW SECTION. **Sec. 8.** The alternative livestock council is
34 created. The council shall consist of not more than seven appointed
35 persons. Additionally, the director of agriculture, or his or her
36 designee, shall serve as chair, and the director of wildlife or his or

1 her designee, shall serve as a permanent member on the council. The
2 council shall be composed of representatives of alternative livestock
3 farming and marketing operations in the state. The members of the
4 council shall be appointed by the director of agriculture to three-year
5 terms. The director may shorten the initial term for a position on the
6 council to stagger the expiration of terms on the council. Vacancies
7 on the council shall be filled by the director by appointment. The
8 council shall advise the department on all aspects of alternative
9 livestock farming and the marketing of alternative livestock and
10 alternative livestock products.

11 NEW SECTION. **Sec. 9.** It is unlawful to hunt or allow others to
12 hunt for a fee, ungulates and ratites reared on or derived from an
13 alternative livestock farm.

14 NEW SECTION. **Sec. 10.** A new section is added to chapter 77.04 RCW
15 to read as follows:

16 This title does not apply to alternative livestock or alternative
17 livestock products, as defined in section 2 of this act or in rules
18 adopted under section 7 of this act. The sole authority of the
19 department of wildlife to regulate such alternative livestock and
20 alternative livestock products is the authority granted by joint rules
21 adopted under section 4 of this act.

22 **Sec. 11.** RCW 77.08.010 and 1989 c 297 s 7 are each amended to read
23 as follows:

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

26 (1) "Director" means the director of wildlife.

27 (2) "Department" means the department of wildlife.

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

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

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

35 (6) "Ex officio wildlife agent" means a commissioned officer of a
36 municipal, county, state, or federal agency having as its primary

1 function the enforcement of criminal laws in general, while the officer
2 is in the appropriate jurisdiction. The term "ex officio wildlife
3 agent" includes fisheries patrol officers, special agents of the
4 national marine fisheries commission, state parks commissioned
5 officers, United States fish and wildlife special agents, department of
6 natural resources enforcement officers, and United States forest
7 service officers, while the agents and officers are within their
8 respective jurisdictions.

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

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

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

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

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

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

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

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

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

31 (16) "Wildlife" means all species of the animal kingdom whose
32 members exist in Washington in a wild state. This includes but is not
33 limited to mammals, birds, reptiles, amphibians, fish, and
34 invertebrates. The term "wildlife" does not include feral domestic
35 mammals, alternative livestock as defined in section 2 of this act or
36 in rules adopted under section 7 of this act, the family Muridae of the
37 order Rodentia (old world rats and mice), or those fish, shellfish, and
38 marine invertebrates classified by the director of fisheries. The term

1 "wildlife" includes all stages of development and the bodily parts of
2 wildlife members.

3 (17) "Wild animals" means those species of the class Mammalia whose
4 members exist in Washington in a wild state and the species *Rana*
5 *catesbeiana* (bullfrog). The term "wild animal" does not include feral
6 domestic mammals, alternative livestock as defined in section 2 of this
7 act or in rules adopted under section 7 of this act, or the family
8 Muridae of the order Rodentia (old world rats and mice).

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

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

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

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

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

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

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

23 (25) "Deleterious exotic wildlife" means species of (~~the animal~~
24 ~~kingdom~~) wild animals not native to Washington and designated as
25 dangerous to the environment or wildlife of the state but excluding
26 alternative livestock as defined in section 2 of this act or in rules
27 adopted under section 7 of this act.

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

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

34 **Sec. 12.** RCW 77.32.010 and 1987 c 506 s 76 are each amended to
35 read as follows:

36 (1) Except as otherwise provided in this chapter, a license issued
37 by the director is required to:

38 (a) Hunt for wild animals or wild birds or fish for game fish;

1 (b) Practice taxidermy for profit;
2 (c) Deal in raw furs for profit;
3 (d) Act as a fishing guide;
4 (e) Operate a game farm;
5 (f) Purchase or sell anadromous game fish; or
6 (g) Use department-managed lands or facilities as provided by rules
7 adopted pursuant to this title.

8 (2) A permit issued by the director is required to:

9 (a) Conduct, hold, or sponsor hunting or fishing contests or
10 competitive field trials using live wildlife;

11 (b) Collect wild animals, wild birds, game fish, or protected
12 wildlife for research or display; or

13 (c) Stock game fish.

14 (3) Aquaculture as defined in RCW 15.85.020 is exempt from the
15 requirements of this section, except when being stocked in public
16 waters under contract with the department.

17 (4) A license or permit is not required for farming or ranching
18 operations for alternative livestock as such livestock are defined in
19 section 2 of this act or in rules adopted under section 7 of this act.

20 **Sec. 13.** RCW 77.12.570 and 1987 c 506 s 49 are each amended to
21 read as follows:

22 The commission shall establish the qualifications and conditions
23 for issuing a game farm license. The director shall adopt rules
24 governing the operation of game farms. Private sector cultured aquatic
25 products as defined in RCW 15.85.020 and alternative livestock as
26 defined in section 2 of this act or in rules adopted under section 7 of
27 this act are exempt from regulation under this section.

28 **Sec. 14.** RCW 77.12.580 and 1987 c 506 s 50 are each amended to
29 read as follows:

30 A licensed game farmer may purchase, sell, give away, or dispose of
31 the eggs of game birds or game fish lawfully possessed as provided by
32 rule of the director. The eggs of alternative livestock as defined in
33 section 2 of this act or in rules adopted under section 7 of this act
34 are exempt from regulation under this section.

35 **Sec. 15.** RCW 77.12.590 and 1987 c 506 s 51 are each amended to
36 read as follows:

1 Wildlife given away, sold, or transferred by a licensed game farmer
2 shall have attached to each wildlife member, package, or container, a
3 tag, seal, or invoice as required by rule of the director. Private
4 sector cultured aquatic products as defined in RCW 15.85.020 and
5 alternative livestock and alternative livestock products as defined in
6 section 2 of this act or in rules adopted under section 7 of this act
7 are exempt from regulation under this section.

8 **Sec. 16.** RCW 77.12.600 and 1985 c 457 s 24 are each amended to
9 read as follows:

10 (1) A common carrier may transport wildlife shipped by a licensed
11 game farmer if the wildlife is tagged, sealed, or invoiced as provided
12 in RCW 77.12.590. Packages containing wildlife shall have affixed to
13 them tags or labels showing the name of the licensee and the consignee.

14 (2) For purposes of this section, wildlife does not include private
15 sector cultured aquatic products as defined in RCW 15.85.020 or
16 alternative livestock or alternative livestock products as defined in
17 section 2 of this act or in rules adopted under section 7 of this act.
18 However, if a means of identifying such livestock or products is
19 required by rules adopted under RCW 15.85.060 or section 5 of this act,
20 this exemption from the definition of wildlife applies only if the
21 ((aquatic)) livestock or products are identified in conformance with
22 those rules.

23 **Sec. 17.** RCW 16.57.010 and 1989 c 286 s 22 are each amended to
24 read as follows:

25 For the purpose of this chapter:

26 (1) "Department" means the department of agriculture of the state
27 of Washington.

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

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

34 (4) "Livestock" includes, but is not limited to, horses, mules,
35 cattle, sheep, swine, goats, poultry ((and)), rabbits, and alternative
36 livestock as defined in section 2 of this act or in rules adopted under
37 section 7 of this act.

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

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

6 (7) "Brand inspection" means the examination of livestock or
7 livestock hides for brands or any means of identifying livestock or
8 livestock hides and/or the application of any artificial identification
9 such as back tags or ear clips necessary to preserve the identity of
10 the livestock or livestock hides examined.

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

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

18 NEW SECTION. **Sec. 18.** A new section is added to Title 16 RCW to
19 read as follows:

20 Alternative livestock that are not restrained in accordance with
21 the rules adopted under section 4 of this act, or when found by a state
22 wildlife or agricultural official or local law enforcement officer
23 outside the area of confinement as required under section 4 of this
24 act, are declared to be a public nuisance. An owner may request
25 assistance from the department of agriculture, department of wildlife,
26 or local law enforcement office in recapturing escaped animals and may
27 be billed for the cost of services rendered.

28 An animal that escapes shall be recaptured and impounded at a
29 suitable facility at the owner's expense. Animals may not be returned
30 to the owner's premises until sufficient repairs or improvement are
31 made to assure that release will not reoccur.

32 If the owner of the animal cannot be determined, the director shall
33 cause to be published for three consecutive days in a newspaper of
34 general circulation in the county in which the animal was found a
35 notice of the impoundment. The notice shall state:

36 (1) A description of the animal, including tatoos or other
37 identification marks and characteristics;

38 (2) When and where found;

1 (3) Where impounded; and

2 (4) That, if unclaimed, the animal will be sold at a public
3 auction, and the date of such sale.

4 The proceeds from the sale shall be handled as provided in RCW
5 16.24.160.

6 If reasonable attempts to recapture the animal fail, a person
7 authorized in rules made under section 4 of this act may utilize
8 additional means to bring the animal under control.

9 The owner of an escaped animal is liable for damages that are shown
10 to be caused by the animal during the time of the escape.

11 **Sec. 19.** RCW 77.12.020 and 1987 c 506 s 13 are each amended to
12 read as follows:

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

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

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

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

27 (5) The director may recommend to the commission that a species of
28 wildlife should not be hunted or fished. The commission may designate
29 species of wildlife as protected.

30 (6) If the director determines that a species of wildlife is
31 seriously threatened with extinction in the state of Washington, the
32 director may request its designation as an endangered species. The
33 commission may designate an endangered species.

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

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

3 As used in this chapter:

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

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

10 "Director" means the director of agriculture of the state of
11 Washington or his authorized representative.

12 "Department" means the department of agriculture of the state of
13 Washington.

14 "Garbage" means the solid animal and vegetable waste and offal
15 together with the natural moisture content resulting from the handling,
16 preparation, or consumption of foods in houses, restaurants, hotels,
17 kitchens, markets, meat shops, packing houses and similar
18 establishments or any other food waste containing meat or meat
19 products.

20 "Veterinary biologic" means any virus, serum, toxin, and analogous
21 product of natural or synthetic origin, or product prepared from any
22 type of genetic engineering, such as diagnostics, antitoxins, vaccines,
23 live microorganisms, killed microorganisms, and the antigenic or
24 immunizing components intended for use in the diagnosis, treatment, or
25 prevention of diseases in animals.

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

28 The word "quarantine" as used in this act shall mean the placing
29 and restraining of any animal or animals by the owner or agents in
30 charge thereof, either within a certain described and designated
31 enclosure or area within this state, or the restraining of any such
32 animal or animals from entering this state, as may be directed in
33 writing by the director of agriculture, or his or her duly authorized
34 representative. Any animal or animals so quarantined within the state
35 shall at all times be kept separate and apart from other ((domestic))
36 animals and not allowed to have anything in common therewith.

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

3 The director shall have general supervision of the prevention of
4 the spread and the suppression of infectious, contagious, communicable
5 and dangerous diseases affecting animals within, in transit through and
6 being imported into the state. The director may establish and enforce
7 quarantine of and against any and all (~~domestic~~) animals which are
8 affected with any such disease or that may have been exposed to others
9 thus affected, whether within or without the state, for such length of
10 time as he or she deems necessary to determine whether any such animal
11 is infected with any such disease. The director shall also enforce and
12 administer the provisions of this chapter pertaining to garbage feeding
13 and when garbage has been fed to swine, the director may require the
14 disinfection of all facilities, including yard, transportation and
15 feeding facilities, used for keeping such swine.

16 The director shall also have the authority to regulate the sale,
17 distribution, and use of veterinary biologics in the state and may
18 adopt rules to restrict the sale, distribution, or use of any
19 veterinary biologic in any manner the director determines to be
20 necessary to protect the health and safety of the public and the
21 state's animal population.

22 The director shall also have the authority to adopt rules governing
23 the importation and care of alternative livestock that are raised for
24 the production of food and fiber for human use. In adopting such
25 rules, the department shall consult with the department of wildlife of
26 the state of Washington.

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

29 It shall be unlawful for any person to intentionally falsely make,
30 complete, alter, use, or sign an animal health certificate, certificate
31 of veterinary inspection, or official written animal health instrument
32 of the department of agriculture. It shall be unlawful for any person,
33 or any railroad or transportation company, or other common carrier, to
34 bring into this state for any purpose any domestic animals, exotic
35 wildlife, or alternative livestock without first having secured an
36 official health certificate or certificate of veterinary inspection,
37 certified by the state veterinarian of origin that such animals meet
38 the health requirements (~~promulgated~~) adopted by the director of

1 agriculture of the state of Washington: PROVIDED, That this section
2 shall not apply to domestic animals imported into this state for
3 immediate slaughter, or domestic animals imported for the purpose of
4 unloading for feed, rest, and water, for a period not in excess of
5 twenty-eight hours except upon prior permit therefor secured from the
6 director of agriculture. It shall be unlawful for any person to divert
7 en route for other than to an approved, inspected stockyard for
8 immediate slaughter or to sell for other than immediate slaughter or to
9 fail to slaughter within fourteen days after arrival, any animal
10 imported into this state for immediate slaughter. It shall be unlawful
11 for any person, railroad, transportation company, or other common
12 carrier, to keep any domestic animals which are unloaded for feed, rest
13 and water in other than quarantined pens, or not to report any missing
14 animals to the director of agriculture at the time the animals are
15 reloaded.

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

18 The director of agriculture shall have power to (~~promulgate~~)
19 adopt and enforce such reasonable rules(~~(, regulations)~~) and orders as
20 he or she may deem necessary or proper to prevent the introduction or
21 spreading of infectious, contagious, communicable, or dangerous
22 diseases affecting domestic animals, exotic wildlife, or alternative
23 livestock in this state, and to (~~promulgate~~) adopt and enforce such
24 reasonable rules(~~(, regulations)~~) and orders as he or she may deem
25 necessary or proper governing the inspection and test of all animals
26 within or about to be imported into this state, and to (~~promulgate~~)
27 adopt and enforce intercounty embargoes and quarantine to prevent the
28 shipment, trailing, trucking, transporting, or movement of bovine
29 animals from any county that has not been declared modified accredited
30 by the United States department of agriculture, animal and plant health
31 inspection service, for tuberculosis and/or certified brucellosis-free,
32 into a county (~~(which)~~) that has been declared modified accredited by
33 the United States department of agriculture, animal and plant health
34 inspection service, for tuberculosis and/or certified brucellosis-free,
35 unless such animals are accompanied by a negative certificate of
36 tuberculin test made within sixty days and/or a negative brucellosis
37 test made within the forty-five day period prior to the movement of
38 such animal into such county, issued by a duly authorized veterinary

1 inspector of the state department of agriculture, or of the United
2 States department of agriculture, animal and plant health inspection
3 service, or an accredited veterinarian authorized by permit issued by
4 the director of agriculture to execute such certificate.

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

7 It shall be unlawful for any person to willfully hinder, obstruct,
8 or resist the director of agriculture or any duly authorized
9 representative, or any peace officer acting under him or her or them,
10 when engaged in the performance of the duties or in the exercise of the
11 powers conferred by this chapter, and it shall be unlawful for any
12 person to willfully fail to comply with or violate any rule(~~(r~~
13 ~~regulation))~~) or order (~~(promulgated))~~) adopted by the director of
14 agriculture or his or her duly authorized representatives under the
15 provisions of this chapter. The director of agriculture shall have the
16 authority under such rules (~~((and—regulations))~~) as shall be
17 (~~(promulgated))~~) adopted by (~~((him))~~) the director to enter at any
18 reasonable time the premises of any (~~((livestock))~~) domestic animals,
19 exotic wildlife, or alternative livestock owner to make tests on any
20 animals for diseased conditions, and it shall be unlawful for any
21 person to interfere with such tests in any manner, or to violate any
22 segregation or identification order made in connection with such tests
23 by the director of agriculture, or his or her duly authorized
24 representative.

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

27 Whenever a majority of any board of health, board of county
28 commissioners, city council or other governing body of any incorporated
29 city or town, or trustees of any township, whether in session or not,
30 shall, in writing or by telegraph, notify the director of agriculture
31 of the prevalence of or probable danger of infection from any of the
32 diseases of domestic animals, exotic wildlife, or alternative livestock
33 the director of agriculture personally, or by the supervisor of dairy
34 and livestock, or by a duly appointed and deputized veterinarian of the
35 division of dairy and livestock, shall at once go to the place
36 designated in said notice and take such action as the exigencies may in
37 his or her judgment demand, and may in case of an emergency appoint

1 deputies or assistants, with equal power to act. The compensation to
2 be paid such emergency deputies and assistants, shall be fixed by the
3 director of agriculture in conformity with the standards effective in
4 the locality in which the services are performed.

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

7 It shall be unlawful for any person registered to practice
8 veterinary medicine, surgery and dentistry in this state not to
9 immediately report in writing to the director of agriculture the
10 discovery of the existence or suspected existence among domestic
11 animals, exotic wildlife, or alternative livestock within the state of
12 any reportable diseases as published by the director of agriculture.

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

15 The governor and the director of agriculture shall have the power
16 to cooperate with the government of the United States in the prevention
17 and eradication of diseases of domestic animals, exotic wildlife, or
18 alternative livestock and the governor shall have the power to receive
19 and receipt for any moneys receivable by this state under the
20 provisions of any act of congress and pay the same into the hands of
21 the state treasurer as custodian for the state to be used and expended
22 in carrying out the provisions of this act and the act or acts of
23 congress under which said moneys are paid over to the state.

24 NEW SECTION. **Sec. 29.** A new section is added to chapter 16.49A
25 RCW to read as follows:

26 (1) Meat and meat by-products of alternative livestock, as defined
27 in RCW 16.36.005, whether or not such meat, meat by-products, or
28 animals originate from within the state, shall not be sold or
29 distributed for public consumption without prior inspection by the
30 department, the United States department of agriculture, or another
31 department-recognized local, state, or federal agency responsible for
32 food safety and inspection.

33 (2) The department may adopt rules establishing a program for
34 inspecting meat and meat by-products of alternative livestock. Such
35 rules shall include a fee schedule that will provide for the recovery
36 of the full cost of the inspection program. Fees collected under this

1 section shall be deposited in an account within the agricultural local
2 fund and the revenue from such fees shall be used solely for carrying
3 out the provisions of this section, and no appropriation is required
4 for disbursement from the fund. The director may employ such personnel
5 as are necessary to carry out the provisions of this section.

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

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

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

22 NEW SECTION. **Sec. 31.** Sections 1 through 9 of this act shall
23 constitute a new chapter in Title 15 RCW.

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