

2 **HB 1282** - S COMM AMD
3 By Committee on Natural Resources

4 ADOPTED 4/6/95

5 Strike everything after the enacting clause and insert the
6 following:

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

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

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

21 Alternatively, when sufficient time for the issuance of a permit by
22 the director is not available, verbal permission may be given by the
23 appropriate department regional administrator to owners or tenants of
24 real property to trap or kill on that property any deer, elk, or
25 protected wildlife which is damaging crops, domestic animals, fowl, or
26 other property. The regional administrator may delegate, in writing,
27 a member of the regional staff to give the required permission in these
28 emergency situations. Nothing in this section authorizes in any
29 situation the trapping, hunting, or killing of an endangered species.

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

35 If the department receives recurring complaints regarding property
36 being damaged as described in this section from the owner or tenant of

1 real property, or receives such complaints from several such owners or
2 tenants in a locale, the commission shall consider conducting a special
3 hunt or special hunts to reduce the potential for such damage.

4 For purposes of this section, "crop" means an agricultural or
5 horticultural product growing or harvested and includes wild shrubs and
6 range land vegetation on privately owned cattle ranching lands. On
7 such lands, the land owner or lessee may declare an emergency when the
8 department has not responded within forty-eight hours after having been
9 contacted by the land owner or lessee regarding crop damage by wild
10 animals or wild birds. However, the department shall not allow claims
11 for damage to wild shrubs or range land vegetation on such lands.

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

17 The department shall work closely with landowners and tenants
18 suffering game damage problems to control damage without killing the
19 animals when practical, to increase the harvest of damage-causing
20 animals in hunting seasons, or to kill the animals when no other
21 practical means of damage control is feasible.

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

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27 On page 1, line 2 of the title, after "crops;" strike the remainder
28 of the title and insert "and amending RCW 77.12.265."

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