
SUBSTITUTE HOUSE BILL 1512

State of Washington 58th Legislature 2003 Regular Session

By House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Cox, Fromhold, Sump, Schoesler, Hatfield, Ahern, Clements and Armstrong)

READ FIRST TIME 02/27/03.

1 AN ACT Relating to controlling game damage to crops; and amending
2 RCW 77.36.020 and 77.12.150.

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

4 **Sec. 1.** RCW 77.36.020 and 1996 c 54 s 3 are each amended to read
5 as follows:

6 The department shall work closely with landowners and tenants
7 suffering game damage problems to control damage without killing the
8 animals when practical, to increase the harvest of damage-causing
9 animals in hunting seasons, and to kill the animals when no other
10 practical means of damage control is feasible.

11 If the department receives recurring complaints regarding property
12 being damaged as described in this section or RCW 77.36.030 from the
13 owner or tenant of real property, or receives such complaints from
14 several such owners or tenants in a locale, the commission shall
15 (~~consider conducting~~) conduct a special hunt or special hunts to
16 reduce the potential for such damage. The commission shall authorize
17 either one or two antlerless permits per hunter for special hunts held
18 in damage areas where qualified department staff, or their designee,
19 have confirmed six incidents of crop damage by deer or elk.

1 **Sec. 2.** RCW 77.12.150 and 1987 c 506 s 24 are each amended to read
2 as follows:

3 (1) By emergency rule only, and in accordance with criteria
4 established by the commission, the director may close or shorten a
5 season for game animals, game birds, or game fish, and after a season
6 has been closed or shortened, may reopen it and reestablish bag limits
7 on game animals, game birds, or game fish during that season. The
8 director shall advise the commission of the adoption of emergency
9 rules. A copy of an emergency rule, certified as a true copy by the
10 director or by a person authorized in writing by the director to make
11 the certification, is admissible in court as prima facie evidence of
12 the adoption and validity of the rule.

13 (2)(a) If the director finds that game animals have increased in
14 numbers in an area of the state so that they are damaging public or
15 private property or over-utilizing their habitat, the commission may
16 establish a special hunting season and designate the time, area, and
17 manner of taking and the number and sex of the animals that may be
18 killed or possessed by a licensed hunter. ~~((The director shall
19 determine by random selection the identity of hunters who may hunt
20 within the area and shall determine the conditions and requirements of
21 the selection process.))~~ The director shall include notice of the
22 special season in the rules establishing open seasons.

23 (b) When the department receives six complaints concerning damage
24 to commercial agricultural and horticultural crop production by
25 wildlife from the owner or tenant of real property, or from several
26 owners or tenants in a locale, the commission shall conduct a special
27 hunt or special hunts to reduce the potential for the damage, and shall
28 authorize either one or two permits per hunter. Each complaint must be
29 confirmed by qualified department staff, or their designee.

30 (c) The director shall determine by random selection the identity
31 of hunters who may hunt within the area of the special hunt and shall
32 determine the conditions and requirements of the selection process.
33 Within this process, the department must maintain a list of all persons
34 holding valid wildlife hunting licenses, arranged by county of
35 residence, who may hunt deer or elk that are causing damage to crops.
36 The department must update the list annually and utilize the list when
37 contacting persons to assist in controlling game damage to crops. The
38 department must make all reasonable efforts to contact individuals

1 residing within the county where the hunting of deer or elk will occur
2 before contacting a person who is not a resident of that county. The
3 department must randomize the names of people on the list in order to
4 provide a fair distribution of the hunting opportunities. Hunters who
5 participate in hunts under this section must report any kills to the
6 department. The department must include a summary of the wildlife
7 harvested in these hunts in the annual game management reports it makes
8 available to the public.

--- END ---