

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1512**

Chapter 385, Laws of 2003

58th Legislature  
2003 Regular Session

WILDLIFE--CROP DAMAGE

EFFECTIVE DATE: 7/27/03

Passed by the House April 21, 2003  
Yeas 97 Nays 0

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate April 11, 2003  
Yeas 46 Nays 3

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Approved May 20, 2003.

GARY LOCKE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1512** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

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**Chief Clerk**

FILED

May 20, 2003 - 2:58 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1512**

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AS AMENDED BY THE SENATE

Passed Legislature - 2003 Regular Session

**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 or take  
16 remedial action to reduce the potential for such damage. The  
17 commission shall authorize either one or two antlerless permits per  
18 hunter for special hunts held in damage areas where qualified

1 department staff, or their designee, have confirmed six incidents of  
2 crop damage by deer or elk.

3 As an alternative to hunting, the department shall work with  
4 affected entities to relocate deer and elk when needed to augment  
5 existing herds.

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

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

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

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

36 (c) The director shall determine by random selection the identity  
37 of hunters who may hunt within the area of the special hunt and shall

1 determine the conditions and requirements of the selection process.  
2 Within this process, the department must maintain a list of all persons  
3 holding valid wildlife hunting licenses, arranged by county of  
4 residence, who may hunt deer or elk that are causing damage to crops.  
5 The department must update the list annually and utilize the list when  
6 contacting persons to assist in controlling game damage to crops. The  
7 department must make all reasonable efforts to contact individuals  
8 residing within the county where the hunting of deer or elk will occur  
9 before contacting a person who is not a resident of that county. The  
10 department must randomize the names of people on the list in order to  
11 provide a fair distribution of the hunting opportunities. Hunters who  
12 participate in hunts under this section must report any kills to the  
13 department. The department must include a summary of the wildlife  
14 harvested in these hunts in the annual game management reports it makes  
15 available to the public.

Passed by the House April 21, 2003.

Passed by the Senate April 11, 2003.

Approved by the Governor May 20, 2003.

Filed in Office of Secretary of State May 20, 2003.