

the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 6, 1949.

Passed the Senate March 5, 1949.

Approved by the Governor March 22, 1949.

CHAPTER 238.

[H. B. 556.]

GAME ANIMALS.

AN ACT relating to game animals; prescribing the powers and duties of the State Game Commission with regard to damages caused by such animals; amending section 35, chapter 275, Laws of 1947, and section 62, chapter 275, Laws of 1947; adding five additional sections to chapter 275, Laws of 1947, to be known as sections 35a, 35b, 35c, 35d, 35e, 35f and 35g, and making an appropriation.

Be it enacted by the Legislature of the State of Washington:

Amendment.

SECTION 1. Section 35, chapter 275, Laws of 1947, is hereby amended to read as follows:

Agreements for prevention of damage by wild animals and birds.

Section 35. The Commission, acting by and through the Director, may enter into written agreements with persons in all matters relating to prevention of damage of private property by wild animals and wild birds. Any such agreements may include but need not be limited to provisions concerning herding, feeding, fencing and other similar actions, to prevent such damage. Under any such agreement the Department may participate in the furnishing of money, material or labor to such extent as may be deemed necessary or advisable by the Commission.

Amendment.

SEC. 2. Section 62, chapter 275, Laws of 1947, is hereby amended to read as follows:

Section 62. It shall be lawful for the owner or tenant of any real property on which any crop is

being grown or any domestic animals or fowl are being kept to trap or kill at any time on such property, any wild animal or wild bird which is destroying any such crop, or injuring domestic animals or fowl, or any dike, drain or irrigation ditch. Such wild animal or wild bird, when so trapped or killed, shall remain the property of the state, and the person trapping or killing the same shall immediately notify the nearest State Game Protector as to where such wild animal or wild bird may be found.

Wild animals or birds destroying property.

Shall remain property of state.

Report to Game Protector.

It shall be unlawful for any person, after trapping or killing any wild animal or wild bird as above provided, to give away, eat, sell, or dispose of the same or any part thereof for profit.

Unlawful to dispose of wild animals or birds.

Provided, That this section shall not prohibit any license holder from trapping, killing, possessing or disposing of any wild animal or wild bird as otherwise provided by law or rule and regulation of the Commission.

Proviso.

For purposes of this section the word "crop" is defined as meaning an agricultural or horticultural seeded or planted crop and shall exclude all wild shrubs and range land.

"Crop" defined.

SEC. 3. Chapter 275, Laws of 1947, is amended by adding thereto a new section to be designated as section 35a, to read as follows:

Amendment.

Section 35a. In accordance with the terms and provisions of this and the sections immediately here following, and pursuant to such rules and regulations which may be promulgated by the State Game Commission hereunder, the said Commission, by and through the Director of the Department of Game, is hereby authorized to compromise, adjust, settle and pay claims for damages caused by beaver, deer or elk out of moneys from time to time appropriated to the Department of Game for such purposes.

Compromising, adjusting and settling of claims for damages caused by beaver, deer or elk.

Amendment.

SEC. 4. Chapter 275, Laws of 1947, is amended by adding thereto a new section to be designated as section 35b, to read as follows:

Payment of claims.

Section 35b. No payment of any such claim shall be made in excess of one thousand dollars (\$1,000), and in the event any claim is not adjusted, compromised or settled and paid by the Commission for a sum up to such amount, and within one (1) year from the filing of such claim the same may be filed with the State Auditor and referred to the Legislature for settlement. The payment of any claim by the said Commission shall be full and final payment upon such claim.

Amendment.

SEC. 5. Chapter 275, Laws of 1947, is amended by adding thereto a new section to be designated as section 35c, to read as follows:

Notice of claim to be filed.

Section 35c. Notice of all claims for damages caused by beaver, deer or elk shall be filed with the State Game Commission in the offices of the Department of Game, Seattle, King County, Washington, within thirty (30) days after the claimed damage shall have occurred. In the event the damages are unascertainable within such thirty (30)-day period, the notice shall so state. The failure to file notice of any claim or pending claim shall bar payment thereof. No payment shall be made to any claimant for damages occurring on lands leased by claimant from any public agency.

Failure to file claim.

Lands leased from public agency exempt.

Amendment.

SEC. 6. Chapter 275, Laws of 1947, is amended by adding thereto a new section to be designated as section 35d, to read as follows:

Rules and regulations governing claims.

Section 35d. The State Game Commission may promulgate rules and regulations requiring affidavits and prescribing the forms thereof to be furnished in proof of all claims and providing for the time for the making of any examination, appraisal or ascertainment of any damages. Such rules and regulations may also provide the method of set-

ting all claims. The said Commission may by rule and regulation provide that it may refuse to consider and pay any claims of claimants who have refused to enter into a cooperative agreement to prevent damage, who have posted the property whereon the claimed damages have occurred, against hunting during the season immediately proceeding [preceding] the time when said damages occurred, in such a manner as may have contributed to the damage claimed or of any claimant who has killed or wounded any game animal other than pursuant to license during the open season.

SEC. 7. Chapter 275, Laws of 1947, is amended Amendment by adding thereto a new section to be designated as section 35e, to read as follows:

Section 35e. There is appropriated from the Appropriation for payment of claims for damages. State Game Fund to the Department of Game the sum of one hundred thousand dollars (\$100,000), the same, or so much thereof as may be necessary, to be available to and to be used by the Department of Game and by the State Game Commission for payment of game animal damage to claimants and for expenses incurred in settling claims in such amounts as may be approved by the said Commission under this and the sections immediately preceding.

SEC. 8. Chapter 275, Laws of 1947, is amended Amendment. by adding thereto a new section to be designated as section 35f, to read as follows:

Section 35f. The Game Department is authorized to lease any state owned lands situated in Yakima and Kittitas Counties for use as game lands at the prevailing rates of leases, and payment for such leases may be made out of any funds appropriated to the Game Department for land acquisition and development. Leasing of state land for use as game lands.

Amendment.

SEC. 9. Chapter 275, Laws of 1947, is amended by adding thereto a new section to be designated as section 35g, to read as follows:

Lessees of state owned land for grazing purposes.

Section 35g. The present lessees of such state owned lands shall be allowed to graze without cost such number of livestock as shall be determined by the Game Commission, Commissioner of Public Lands and a representative of the Washington Cattlemen's Association on the basis of the capacity of such lands for this purpose, that the population of elk will be not more than 3,000 west and south of the Yakima River in Yakima and Kittitas Counties.

Limitation on population of elk.

Passed the House March 8, 1949.

Passed the Senate March 6, 1949.

Approved by the Governor March 22, 1949.

CHAPTER 239.

[H. B. 157.]

PHYSICAL THERAPY.

AN ACT relating to the practice of physical therapy by registered physical therapists.

Be it enacted by the Legislature of the State of Washington:

Definitions.

SECTION 1. In this act, unless the context otherwise requires:

"Physical therapy."

(1) "Physical therapy" means the treatment of any bodily or mental condition of any person by the use of the physical, chemical and other properties of heat, light, water, electricity, massage and therapeutic exercise, which includes posture and rehabilitation procedures. The use of Roentgen rays and radium for diagnostic and therapeutic purposes, and the use of electricity for surgical purposes, including cauterization, are not authorized under the term "physical therapy" as used in this act.

"Physical therapist."

(2) "Physical therapist" means a person who practices physical therapy as defined in this act