

## CHAPTER 177.

[ Sub. S. B. 81. ]

## BEAVER.

AN ACT relating to beavers; amending section 77.20.010, chapter 36, Laws of 1955 and RCW 77.20.010; amending section 77.20.020, chapter 36, Laws of 1955 and RCW 77.20.020; amending section 77.20.030, chapter 36, Laws of 1955 and RCW 77.20.030; amending section 77.20.040, chapter 36, Laws of 1955 and RCW 77.20.040; amending section 77.20.045, chapter 36, Laws of 1955 and RCW 77.20.045; amending section 77.20.050, chapter 36, Laws of 1955 and RCW 77.20.050; amending section 77.32.190, chapter 36, Laws of 1955 as amended by section 11, chapter 176, Laws of 1957, and RCW 77.32.190; amending section 77.12.270, chapter 36, Laws of 1955 and RCW 77.12.270; amending section 77.12.290, chapter 36, Laws of 1955 as amended by section 2, chapter 177, Laws of 1957 and RCW 77.12.290; adding two new sections to chapter 36, Laws of 1955 and chapter 77.20 RCW; and providing penalties.

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

SECTION 1. Section 77.20.010, chapter 36, Laws of 1955 and RCW 77.20.010 are each amended to read as follows: RCW 77.20.010 amended.

For the purpose of properly administering, perpetuating, protecting, and maintaining the beaver of the state, the same is hereby declared to be a fur-bearing animal and may be hunted, trapped, killed, or possessed, or the pelts thereof sold, as provided in this chapter. Beaver as fur-bearer.

SEC. 2. Section 77.20.020, chapter 36, Laws of 1955 and RCW 77.20.020 are each amended to read as follows: RCW 77.20.020 amended.

The commission may make reasonable rules and regulations for purposes of administration and enforcement of the laws pertaining to beaver and regulating the propagation, hunting, trapping, killing, and possession of beaver and the sale of beaver skins. The commission, through the director, may enter Beavers. Rules and regulations—Cooperative agreements.

into cooperative agreements with private landowners for the hunting, trapping, and killing of beaver upon the land of such owners. Under such agreements the commission, through the director, shall designate the maximum number of beaver which may be taken each year from the land of the owner. All taking, hunting, trapping, or killing of beaver under cooperative agreements shall be done only by the commission, acting through the director or his duly authorized representatives, with costs thereof to be paid out of the state game fund.

RCW 77.20.030  
amended.

SEC. 3. Section 77.20.030, chapter 36, Laws of 1955 and RCW 77.20.030 are each amended to read as follows:

Beavers. Skins,  
disposal of.

All beaver skins obtained by the director or his representatives under this title shall be sold to licensed fur buyers only at auction to the highest bidder. The time of any sale shall be within the discretion of the director. From the proceeds of sales there shall be paid to the owner of the land upon which the beaver was taken under any cooperative agreement, such amount as was stipulated therein and the balance of the proceeds shall be deposited in the state game fund. In the making of any cooperative agreement under the provisions of this title, the commission, through the director, may provide for such compensation to the landowner as may be deemed just and reasonable based upon a percentage payment per pelt sold or upon a fixed fee basis or otherwise.

RCW 77.20.040  
amended.

SEC. 4. Section 77.20.040, chapter 36, Laws of 1955 and RCW 77.20.040 are each amended to read as follows:

Trapping of  
beaver doing  
damage—By  
commission.

The commission, through the director or his duly authorized representatives, may hunt, trap, or kill beaver on private lands when the owners thereof are suffering damage. Beaver may likewise be

hunted, trapped, or killed on public lands by the director or his duly authorized representatives whenever and wherever the commission deems it necessary and advisable.

SEC. 5. Section 77.20.045, chapter 36, Laws of 1955 and RCW 77.20.045 are each amended to read as follows:

RCW 77.20.045 amended.

If beavers or other burrowing animals are damaging, or endangering any land the owner or occupant of such land may trap or kill such animals. If he does so, such person must notify the commission regarding the number of the animals disposed of and when possible, surrender the pelts thereto to the commission.

Trapping of beavers doing damage—By owner.

SEC. 6. Section 77.20.050, chapter 36, Laws of 1955 and RCW 77.20.050 are each amended to read as follows:

RCW 77.20.050 amended.

Prior to sale all beaver skins to be sold under the provisions of RCW 77.20.030 shall be properly cared for, preserved, and tagged or sealed by the director or his representatives.

Skins to be tagged.

SEC. 7. Section 77.32.190, chapter 36, Laws of 1955 as last amended by section 11, chapter 176, Laws of 1957 and RCW 77.32.190 are each amended to read as follows:

RCW 77.32.190 amended.

Any resident may by paying the sum of five dollars obtain a state trapping license which shall entitle the holder thereof to trap furbearing animals for their hides or their pelts only, within any county of the state until the first day of April next following the date of its issuance, at any time when it is lawful to trap such animals.

Trapper's license—Furbearing animals.

SEC. 8. Section 77.12.270, chapter 36, Laws of 1955 and RCW 77.12.270 are each amended to read as follows:

RCW 77.12.270 amended.

Damages caused by deer, elk— Payment authorized.

In accordance with the terms and provisions of RCW 77.12.270 to 77.12.300, inclusive, and pursuant to such rules and regulations as may be promulgated by the commission hereunder, the commission, by and through the director, is hereby authorized to compromise, adjust, settle, and pay claims for damages caused by deer or elk out of moneys from time to time appropriated to the department for such purposes.

RCW 77.12.290 amended.

SEC. 9. Section 77.12.290, chapter 36, Laws of 1955 as amended by section 2, chapter 177, Laws of 1957 and RCW 77.12.290 are each amended to read as follows:

Damages caused by deer, elk— Notice of claim required— Damages on public lands excluded.

Notice of all claims for damages caused by deer or elk shall be filed in writing with the commission in the offices of the department of game, Olympia, Thurston county, Washington, within ninety days after the claimed damage has occurred, or within ninety days following the discovery of the claimed damage. In the event the damages are unascertainable within such ninety 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.

New section.

SEC. 10. There is added to chapter 36, Laws of 1955, and to chapter 77.20 RCW a new section to read as follows:

Beavers. Trapping lawful, when— Supplemental beaver tags.

It shall be lawful for any resident, licensed under RCW 77.32.190, to trap, hunt, or kill beaver for their skins in such areas and at such times as the commission by rule or regulation may permit.

It shall be unlawful for a licensee to trap, hunt, or kill beaver without first having procured from the director a tag or tags to be known as supplemental beaver tags. The fee for issuing and procuring each tag shall be one dollar and shall be paid in addition

to all other license fee prescribed by law. Beaver tags shall be prepared and distributed under the supervision of the director in such number and manner each year as he deems advisable. The tags shall bear the name "department of game of the state of Washington" and the year for which it is issued, and any other distinguishing marks deemed necessary by the director. The tags shall be void on the first day of April next following the date of issuance.

SEC. 11. There is added to chapter 36, Laws of 1955 and to chapter 77.20 RCW a new section to read as follows: New section.

Beaver tags shall be in the possession of all persons while they are engaged in trapping beaver. Any person who traps a beaver shall as soon as feasible attach one of his tags to the skin. No person shall purchase from any trapper any skin that does not bear a supplemental beaver tag. *\*The purchaser of the skin shall return the tag to the commission within five days of the date of purchase.* —Trappers to carry, attach, tags—  
Purchased skins to bear tags—Violation.  
  
\*Sentence vetoed.

Any person violating any provision of this section shall be subject to the penalties provided in RCW 77.20.060.

Passed the Senate March 3, 1963.

Passed the House March 10, 1963.

Approved by the Governor March 26, 1963, with the exception of a certain item in Section 11, which was vetoed.

NOTE: Governor's explanation of partial veto is as follows:

"The bill removes beavers from the list of protected fur-bearing animals. It allows private owners of property to hunt or trap beaver after giving notice to the Commission. Veto message, excerpt.

"Section 11 contains the following item: 'The purchaser of the skin shall return the tag to the commission within five days of the date of purchase.' I disapprove and veto this item because the Game Commission advises me that in many instances it would be physically impossible to return to the Commission a beaver tag within five days.

"With the exception of the foregoing item which is vetoed, the remainder of Senate Bill No. 81 is approved."

ALBERT D. ROSELLINI,  
Governor.