

(2) The natural area preserve program managed by the department of natural resources under chapter 79.70 RCW;

(3) The shoreline management master programs adopted by local governments and approved by the department of ecology under chapter 90.58 RCW.

NEW SECTION. Sec. 3. The department, in accordance with chapter 34.04 RCW, shall adopt and enforce necessary rules defining the extent and boundaries of habitat buffer zones for bald eagles. Rules shall take into account the need for variation of the extent of the zone from case to case, and the need for protection of bald eagles. The rules shall also establish guidelines and priorities for purchase or trade and establishment of conservation easements and/or leases to protect such designated properties. The department shall also adopt rules to provide adequate notice to property owners of their options under sections 2 through 4 of this act.

NEW SECTION. Sec. 4. There is hereby created the "joint select committee on threatened and endangered species" of the Washington state legislature. The select committee shall consist of twelve members, three each from the majority and minority caucuses of the Senate and the majority and minority caucuses of the House of Representatives, appointed by the president of the Senate and the speaker of the House of Representatives upon the recommendation of the respective caucuses. The select committee shall study and report to the 1987 legislature its findings on matters relating to threatened and endangered species including, but not limited to, the promulgation of a threatened and endangered species list, the protection of the habitat of such species, compensation and incentives to private property owners to protect such species and their habitat and appropriate enforcement provisions.

NEW SECTION. Sec. 5. Sections 2 through 4 of this act are each added to chapter 77.12 RCW.

Passed the Senate March 5, 1984.

Passed the House March 5, 1984.

Approved by the Governor March 27, 1984.

Filed in Office of Secretary of State March 27, 1984.

CHAPTER 240

[Engrossed Substitute Senate Bill No. 3169]

GAME DEPARTMENT—EMERGENCY RULES—SPECIAL HUNTING SEASONS—GOAT, SHEEP, AND MOOSE STAMPS

AN ACT Relating to game and game fish; amending section 77.12.050, chapter 36, Laws of 1955 as amended by section 16, chapter 78, Laws of 1980 and RCW 77.04.090; amending section 77.12.030, chapter 36, Laws of 1955 as last amended by section 14, chapter 78, Laws of 1980 and RCW 77.12.030; amending section 77.12.040, chapter 36, Laws of 1955 as last

amended by section 15, chapter 78, Laws of 1980 and RCW 77.12.040; amending section 77.12.150, chapter 36, Laws of 1955 as last amended by section 29, chapter 78, Laws of 1980 and RCW 77.12.150; amending section 11, chapter 310, Laws of 1981 and RCW 77.32.340; amending section 12, chapter 310, Laws of 1981 and RCW 77.32.350; amending section 14, chapter 310, Laws of 1981 and RCW 77.32.370; and adding a new section to chapter 77.32 RCW.

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

Sec. 1. Section 77.12.050, chapter 36, Laws of 1955 as amended by section 16, chapter 78, Laws of 1980 and RCW 77.04.090 are each amended to read as follows:

The commission shall adopt permanent rules and amendments to or repeals of existing rules by approval of four members by resolution, entered and recorded in the minutes of the commission. The commission shall adopt emergency rules by approval of four members. The commission or the director, when adopting emergency rules under RCW 77.12.150, shall adopt rules in conformance with chapter 34.04 RCW. Judicial notice shall be taken of the rules filed and published as provided in RCW 34.04.040 and 34.04.050.

A copy of an emergency rule, certified as a true copy by a member of the commission, the director, or by a person authorized in writing by the director to make the certification, is admissible in court as prima facie evidence of the adoption and validity of the rule.

Sec. 2. Section 77.12.030, chapter 36, Laws of 1955 as last amended by section 14, chapter 78, Laws of 1980 and RCW 77.12.030 are each amended to read as follows:

The commission may regulate the taking, possession, collection, distribution, importation, transportation, and sale of wildlife and deleterious exotic wildlife species.

Sec. 3. Section 77.12.040, chapter 36, Laws of 1955 as last amended by section 15, chapter 78, Laws of 1980 and RCW 77.12.040 are each amended to read as follows:

The commission shall adopt, amend, or repeal, and enforce reasonable rules prohibiting or governing the time, place, and manner of taking or possessing game animals, game birds, or game fish. The commission may specify the quantities, species, sex, and size of game animals, game birds, or game fish that may be taken or possessed. The director may adopt emergency rules under RCW 77.12.150.

The commission may establish by rule game reserves and closed areas where hunting for wild animals or wild birds may be prohibited and closed waters where fishing for game fish may be prohibited.

Sec. 4. Section 77.12.150, chapter 36, Laws of 1955 as last amended by section 29, chapter 78, Laws of 1980 and RCW 77.12.150 are each amended to read as follows:

By emergency rule only, and in accordance with rules of the commission, the director may close or shorten a season for game animals, game birds, or game fish, and after a season has been closed or shortened, may reopen it and reestablish bag limits on game animals, game birds, or game fish during that season.

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

Sec. 5. Section 11, chapter 310, Laws of 1981 and RCW 77.32.340 are each amended to read as follows:

A supplemental stamp is required to hunt deer, elk, bear, cougar, sheep, mountain goat, moose, or wild turkey.

(1) The fee for a deer stamp is ten dollars.

(2) The fee for a resident elk stamp is fifteen dollars. The fee for a nonresident elk stamp is seventy-five dollars.

(3) The fee for a resident bear stamp is ten dollars. The fee for a nonresident bear stamp is seventy-five dollars.

(4) The fee for a resident cougar stamp is ten dollars. The fee for a nonresident cougar stamp is one hundred fifty dollars.

(5) The fee for a mountain goat stamp is thirty-five dollars which shall be paid at the time of application. Applicants who are not selected for a mountain goat special season permit shall receive a refund of this fee, less five dollars.

(6) The fee for a sheep stamp is ((~~thirty-five~~)) seventy-five dollars for residents and three hundred dollars for nonresidents and shall be paid at the time of application. Applicants who are not selected for a sheep special season permit shall receive a refund of this fee, less five dollars.

(7) The fee for a moose stamp is one hundred dollars for residents and three hundred dollars for nonresidents and shall be paid at the time of application. Applicants who are not selected for a moose special season permit shall receive a refund of this fee, less five dollars.

(8) The fee for a wild turkey stamp is ten dollars.

(9) To be valid, supplemental stamps required under this section shall be permanently affixed to the transport tag at the time of purchase and the stamp numbers legibly transferred to the hunting license.

(10) Supplemental stamps required under this section expire on March 31st following the date of issuance.

Sec. 6. Section 12, chapter 310, Laws of 1981 and RCW 77.32.350 are each amended to read as follows:

(1) A hound stamp is required to hunt wild animals with a dog. The fee for this stamp is six dollars.

~~(2) ((A warm water fish stamp is required to fish in waters and for species as designated by rule of the commission. The fee for this stamp is six dollars.~~

~~(3))~~ (3) An upland game bird stamp is required to hunt for quail, partridge, and pheasant in areas designated by rule of the commission. The fee for this stamp is six dollars.

~~((4))~~ (4) An archery stamp is required to hunt with a bow and arrow during seasons established exclusively for hunting in that manner. The fee for this stamp is six dollars.

~~((5))~~ (5) A muzzleloading firearm stamp is required to hunt with a muzzleloading firearm during seasons established exclusively for hunting in that manner. The fee for this stamp is six dollars.

~~((6))~~ (6) A falconry stamp is required to hunt with a falcon during seasons established exclusively for hunting in that manner. The fee for this stamp is fifteen dollars.

~~((7))~~ (7) To be valid, stamps required under this section shall be permanently affixed to the licensee's appropriate hunting or fishing license.

~~((8))~~ (8) Stamps required by this section expire on March 31st following the date of issuance except for ~~((the warm water fish and))~~ hound stamps, which expire December 31st following the date of issuance.

Sec. 7. Section 14, chapter 310, Laws of 1981 and RCW 77.32.370 are each amended to read as follows:

(1) A special hunting season permit is required to hunt in each special season established under chapter 77.12 RCW ~~((77.12.150))~~.

(2) Persons may apply for special hunting season permits as provided by rule of the commission.

(3) The application fee to participate in a special hunting season is two dollars.

NEW SECTION. Sec. 8. There is added to chapter 77.32 RCW a new section to read as follows:

For the purposes of this chapter "special hunting season" means a hunting season established by rule of the commission for the purpose of taking specified wildlife under a special hunting permit.

Passed the Senate March 3, 1984.

Passed the House March 8, 1984.

Approved by the Governor March 27, 1984.

Filed in Office of Secretary of State March 27, 1984.