

HOUSE BILL REPORT

HB 2846

As Reported by House Committee On:
Fisheries, Ecology & Parks

Title: An act relating to the unlawful use of a hook.

Brief Description: Creating the crime of unlawful use of a hook.

Sponsors: Representatives Sump, Cooper, Romero, Buck, Pearson, Holmquist, Jarrett, Wood and Woods.

Brief History:

Committee Activity:

Fisheries, Ecology & Parks: 1/27/04, 1/29/04 [DPS].

Brief Summary of Substitute Bill

- Makes unlawful the intentional use of a hook in a way that could be reasonably foreseen to pierce the flesh or mouth of a bird or mammal.

HOUSE COMMITTEE ON FISHERIES, ECOLOGY & PARKS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Cooper, Chair; Upthegrove, Vice Chair; Sump, Ranking Minority Member; Hinkle, Assistant Ranking Minority Member; Buck, Hatfield, O'Brien, Pearson and Simpson, D.

Staff: Jason Callahan (786-7117).

Background:

The Fish and Wildlife Enforcement Code (code) contains a number of unlawful acts that relate to hunting, fishing, and other wildlife related activities, outlining the elements of numerous criminal infractions. The penalties for violating these regulations range from civil natural resources infractions, to misdemeanors, to felonies. The Department of Fish and Wildlife is authorized to enforce the civil and criminal sanctions that appear in the code.

Gross misdemeanors are punishable by up to one year in jail and a fine of up to \$5,000.

Summary of Substitute Bill:

It is a gross misdemeanor to intentionally use, or attempt to use, a hook in a way that could be reasonably foreseen to pierce the flesh or mouth of a bird or mammal.

Substitute Bill Compared to Original Bill:

The original bill specified that the hook used in commission of the violation had to be metallic, and that any mammal injured would have to be considered a terrestrial mammal in order for the act to be unlawful.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: This bill contains an emergency clause and takes effect immediately.

Testimony For: There is no need to be cruel when capturing an animal, and captured animals should be dispatched humanely. The use of hooks to capture and dispatch mammals and birds is barbaric, and not an accepted wildlife management practice. A heavy hammer to stop this activity is justified and timely. Using a hook to capture mammals and birds is cruelty to animals.

Testimony Against: None.

Persons Testifying: Representative Sump, prime sponsor; Ed Owens, Hunters Heritage Councils, Citizens for Responsible Wildlife Management; and Steve Pazzanghera, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.