

SENATE BILL REPORT

SB 5905

As Reported By Senate Committee On:
Agriculture, February 27, 2003

Title: An act relating to diseased and quarantined animals.

Brief Description: Preventing the spread of animal diseases.

Sponsors: Senators Swecker and Rasmussen.

Brief History:

Committee Activity: Agriculture: 2/27/03 [DP].

SENATE COMMITTEE ON AGRICULTURE

Majority Report: Do pass.

Signed by Senators Swecker, Chair; Brandland, Vice Chair; Jacobsen, Rasmussen and Sheahan.

Staff: Evan Sheffels (786-7486)

Background: Washington's Animal Health Program regulates the movement and testing of animals coming into or being sold within the state and grants the Washington State Department of Agriculture broad powers to protect the people of the state, their livestock, and other animals from harmful animal diseases.

With reasonable cause, the director may currently issue a hold order to isolate animals for seven days in order to investigate the presence of or potential exposure to disease. Overt or immediately obvious evidence of disease or exposure is not required to issue a hold order. The director may also issue a quarantine order, for as long as necessary, to isolate any animal or animal reproductive product that has become diseased or exposed to disease.

With reasonable evidence of infection or exposure, the director may enter animal premises to perform tests or examinations on any animal. The director may order the destruction of animals to protect the public welfare. A hearing process is provided to contest departmental actions.

Summary of Bill: Additional flexibility is provided for the director to respond to animal health urgencies and to achieve protection of public and animal health and safety.

The quarantine powers of the director are clarified with reasonable cause language to match that of the current "hold order" powers of the director.

The inspection powers of the director are amended to clarify that reasonable cause provides a sufficient basis to enter and inspect animals or animal premises and to seize items necessary for testing or inspection purposes. Search warrant powers are explicitly given to address

denials of access, so long as probable cause indicates a potential threat to agriculture or a potential threat that seriously endangers animals, humans, the environment, or the public welfare.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The Department of Agriculture was recently denied access to inspect a potential disease situation. This bill is needed to address disease issues, especially given recent concern over Exotic Newcastle Disease and other highly infectious animal diseases. The search warrant authority was required to be made explicit in statute, according to the Attorney General's Office. The beef, dairy, and livestock groups fully support the bill.

Testimony Against: None.

Testified: PRO: Robert Mead, WSDA; Chris Cheney, Washington Dairy Federation, Washington Cattleman's Association, Washington Fryer Commission.