

**SENATE BILL REPORT**

**SB 5418**

**AS REPORTED BY COMMITTEE ON NATURAL RESOURCES,  
MARCH 3, 1993**

**Brief Description:** Regulating alternative livestock.

**SPONSORS:** Senators M. Rasmussen, Anderson, Loveland, Barr, Roach, Prince, Oke, Haugen, Erwin, Owen, Newhouse and Amondson

**SENATE COMMITTEE ON AGRICULTURE**

**Majority Report:** That Substitute Senate Bill No. 5418 be substituted therefor, and the substitute bill do pass.

Signed by Senators M. Rasmussen, Chairman; Loveland, Vice Chairman; Anderson, Barr, Bauer, Newhouse, and Snyder.

**Staff:** Bob Lee (786-7404)

**Hearing Dates:** February 1, 1993; February 18, 1993

**SENATE COMMITTEE ON NATURAL RESOURCES**

**Majority Report:** That Substitute Senate Bill No. 5418 as recommended by Committee on Agriculture be substituted therefor and the substitute bill do pass.

Signed by Senators Hargrove, Vice Chairman; Amondson, Erwin, Franklin, Haugen, Oke, Sellar, L. Smith, Snyder, and Spanel.

**Staff:** Bob Lee (786-7404)

**Hearing Dates:** March 3, 1993

**BACKGROUND:**

The Department of Agriculture has conducted an animal health program covering the state livestock industry for a number of years. Their authorities include the ability to require health inspection certificates prior to allowing animals to be imported into the state, develop rules to prevent the introduction or spread of contagious diseases and to place infected herds under quarantine.

The Department of Wildlife has been granted authority to designate animal species not native to the state of Washington as deleterious if such species are found to be dangerous to the environment or to wildlife. Regulations were adopted during the last six months relating to some species of animals reared as livestock on farms in the state.

Currently, there are statutes that define legal fences for cattle and other livestock.

**SUMMARY:**

It is declared that rearing alternative livestock should be considered as a branch of the agricultural industry and that laws that apply to livestock should be extended to alternative livestock.

Alternative livestock is defined to include ungulates (hoofed animals), ratites (ostriches, emus) and fowl that are reared for its meat or other products. Specifically excluded are species of wildlife that are native to the state of Washington unless they currently are raised on an alternative livestock farm in the state.

It is unlawful to hunt or to allow others to hunt for a fee on ungulates or ratites reared on or derived from an alternative livestock farm.

The Department of Agriculture and the Department of Wildlife are required to study the need for assuring adequate fences or other methods of enclosure for various species of alternative livestock. The directors must jointly adopt rules that establish fencing standards to assure adequate protection to traditional farm animals and wildlife that may result from the possible escape of alternative livestock.

The director of the Department of Agriculture shall develop and administer a program of disease inspection and control for the alternative livestock industry. Such a program must be formulated in consultation with the Department of Wildlife, the alternative livestock industry and other interested parties.

Persons engaged in the farming or ranching of alternative livestock shall register annually with the Department of Agriculture. The Department of Agriculture is to establish, by rule, annual registration fees sufficient to cover the costs of development and administration of rules required by this act.

The department, by rule, must assure the protection of state, federal and tribal resources and alternative livestock from the diseases that could originate from resources regulated or managed by public agencies.

An alternative livestock council is established. The council consists of the director of Agriculture who serves as chair, the director of Wildlife a permanent member, and seven persons representing different sectors of the alternative livestock industry. The council is to advise the department on all aspects relating to alternative livestock farming.

Various statutes administered by the Department of Wildlife are amended to exclude authority to regulate the alternative livestock industry.

It is clarified that alternative livestock are included under disease prevention and control authorities administered by the

Department of Agriculture. Other species of exotic species (those that do not exist in a wild state in Washington) are also covered by the authorities of the Department of Agriculture including health certificates for importation of these animals into the state and other disease prevention and control authorities.

Alternative livestock which are not restrained by fences or otherwise, as required by rules, are declared a public nuisance. The owner of an escaped animal is liable for damages that are caused during the time of the escape.

Meat and meat byproducts shall not be sold or distributed for public consumption unless prior meat inspection is conducted by an authorized state, local or federal agency.

Alternative livestock are to be considered as domestic animals under the animal cruelty statutes.

**EFFECT OF PROPOSED SUBSTITUTE:**

Ratites, llamas and alpacas are deleted from the definition of livestock.

A process is established to better determine when species of alternative livestock are not to be allowed in this state. The Department of Agriculture and the Department of Wildlife are required to jointly adopt rules which identify animals which cannot be introduced, maintained or possessed in the state as alternative livestock if such animals cause damage to the environment or to wildlife.

A scientific rules review board is to consist of the chair of the Natural Resource Science Department at Washington State University, the chair of the School of Veterinary Medicine at Washington State University and the chair of the Veterinary Board of Governors. This panel is to review the need, adequacy and workability of the proposed rules and make recommendations to the departments.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested January 27, 1993

**TESTIMONY FOR:**

The procedures used by the Department of Wildlife in the adoption of rules banning and otherwise restricting the possession and sale of existing alternative livestock did not allow for sufficient public comment and were not based upon accurate scientific information.

**TESTIMONY AGAINST:**

The bill restricts the power of the Department of Wildlife too severely and does not provide adequate means to protect wildlife or the environment.

**TESTIFIED (Agriculture):** Anita Rich, Treehouse Deer Farm (pro); Sharon Bresciani, Bresciani Deer Farm (pro); Frances and Floyd Ueltschi, Ueltschi's Farm (pro); John Schreiner, Schreiner Farms, Washington Alternative Livestock Association (WALA) (pro); Marianne LeSage, LeSage Deer Farm, WALA (pro); Bud and Vi Sargent WALA, elk farmers (pro); Jim Rich, WALA, deer farmer (pro); David Kellaway, The Salish Lodge (pro); Bruce Morgan, WALA, deer, pheasant and waterfowl farmer (pro); Jeff Hatch, WALA (pro); Dr. Robert Mead, WSDA State Veterinarian (pro); Gary D. Bumgarner, Private Land Wildlife Management Foundation (pro); James Abbott, Abbott Farms (pro); Jeff Parsons, National Audubon Society (con)

**TESTIFIED (Natural Resources):** J. K. Johnson, Washington State Muzzleloaders (con); Jim Rich, Washington Alternative Livestock (pro); Joe Schreiner, Schreiner Farms (pro); Chuck Tyler, Tacoma Sportsmen's Club (con); Jeff Parsons, National Audubon Society (con); Richard Mann, Steve Furrer, Washington Game Warden Assn. (con); Gerald Rowland, Sr., President, Modern Firearm Hunters of Washington, Gary Geddes