

# HOUSE BILL REPORT

## SSB 6644

---

**As Reported by House Committee On:**  
Agriculture & Natural Resources

**Title:** An act relating to falconry.

**Brief Description:** Regarding falconry.

**Sponsors:** Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senator Jacobsen).

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 2/19/10, 2/23/10 [DPA].

**Brief Summary of Substitute Bill  
(As Amended by House)**

- Creates two new permits allowing for the practice of falconry.

---

### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass as amended. Signed by 13 members: Representatives Blake, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Jacks, Kretz, Liias, McCoy, Nelson, Pearson, Rolfes, Van De Wege and Warnick.

**Staff:** Jason Callahan (786-7117).

**Background:**

Role of the Washington Department of Fish and Wildlife.

The Washington Department of Fish and Wildlife (WDFW) serves as manager of the state's fish and wildlife resources. Among other duties, the WDFW must classify wildlife and establish the basic rules and regulations governing the time, place, manner, and methods used to harvest fish and wildlife.

Falconry Permitting in Washington.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Regulations of the WDFW define falconry as the possession and use of raptors for the purpose of hunting or free flight training. The regulations define a raptor as a live migratory bird of the orders *Falconiformes* or *Strigiformes*. Examples of these orders include hawks, ospreys, falcons, and owls.

The federal government has primary authority over activities relating to migratory birds, and states must operate within the bounds of federal regulations concerning falconry. Prior to November 2008, the federal government imposed a dual permitting system, requiring a person to obtain both a state and federal falconry permit in order to practice falconry. In order to receive a permit under the dual permitting system, a person must apply for a state and federal permit, pass a written examination, and have their raptor housing facility inspected. There is a \$100 fee for the federal permit, which is valid for three years. There is no fee for the state falconry permit.

In 2008 the federal government adopted regulations to streamline falconry permitting. If a state adopts regulations that meet or exceed standards specified by the federal government, that state permit becomes the sole permit necessary to practice falconry. A state has until 2014 to adopt such regulations, at which time the federal government will stop issuing falconry permits.

---

#### **Summary of Amended Bill:**

Two new permits, to be issued by the WDFW, are created that allow the possessor of the permit to practice falconry. Falconry is the capture or attempt to capture, possess, transfer, use, or dispose of a raptor for the purpose of hunting or free flight training.

A state resident falconry permit costs \$100 and is valid for two years. However, the WDFW must issue falconry permits to Washington residents free of charge during any period of time in which the U.S. Fish and Wildlife Service charges a fee for a substantially similar permit.

Non-residents may also purchase a one-year falconry permit. The fee for the non-resident permit is \$500 for a permit that allows for the capture of peregrine falcons, gyrfalcons, or goshawks or \$250 for a permit that allows for the capture of other raptors. There are no provisions allowing the WDFW to waive the permit fee for non-residents. Non-residents may practice falconry in Washington without purchasing a permit if they are in possession of a valid permit issued by a different state, an Indian tribe, or another country.

All fees collected from falconry permits must be deposited into the State Wildlife Account and used by the WDFW for the administration and management of falconry.

#### **Amended Bill Compared to Substitute Bill:**

The amendment removes an exemption to the state's prohibition on the use of body-gripping traps for raptor traps.

---

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Falconry is an ancient form of hunting that appears in the archeological record of the earliest human settlements. Falconers have a keen insight into the natural world and care deeply about the wild population. Most captured raptors are released back into the wild.

Currently a falconry permit is available through rule, but not in statute. The federal government has historically managed falconry programs but are in the process of turning management over to the states. The state is facing a budget crisis and the falconers are willing to pay their share for the oversight of the falconry permit. Falconers also want to find a way to allow their friends from other states to visit Washington and capture raptors that may not be available in their home state. This change will allow reciprocity for Washington's 210 licensed falconers.

The exemption from the body-gripping trap prohibition is included to ensure that devices used to capture raptors are not included in the prohibition. Raptor traps are targeted, safe, and designed to not injure the bird.

(Opposed) None.

**Persons Testifying:** Geoff Hirschi, Lydia Ash, and Ross Matteson, Washington Falconers Association; and Eric Cummins, Washington Department of Fish and Wildlife.

**Persons Signed In To Testify But Not Testifying:** None.