

# HOUSE BILL REPORT

## HB 1340

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### As Passed Legislature

**Title:** An act relating to unlawful hunting of big game.

**Brief Description:** Regarding the unlawful hunting of big game.

**Sponsors:** Representatives Kretz, McCune, Johnson and Warnick.

#### Brief History:

##### Committee Activity:

Agriculture & Natural Resources: 2/15/11, 2/16/11 [DP].

##### Floor Activity:

Passed House: 2/28/11, 97-0.

Passed Senate: 4/7/11, 49-0.

Passed Legislature.

#### Brief Summary of Bill

- Adds a new element to the crime of unlawful hunting of big game in the first degree so that a person may be convicted of this crime without first being convicted of a different wildlife-related crime if the person kills, or attempts to kill, three or more big game animals within the same course of events.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 13 members: Representatives Blake, Chair; Stanford, Vice Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Dunshee, Hinkle, Kretz, Lytton, Orcutt, Pettigrew, Rolfes and Van De Wege.

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

#### Background:

The crime of unlawful hunting of big game in the second degree is committed when a person does one of three things:

- hunts for, takes, or possesses big game without the required licenses and tags;

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- violates any rules regarding requirements for hunting big game; or
- possesses a big game animal taken during a closed season.

The crime of unlawful hunting of big game in the first degree is committed when a person who has previously committed a wildlife-related crime, within five years of that conviction, commits one of the acts that qualifies as unlawful hunting in the second degree.

The term "big game" is defined to include the following animals: deer, elk, moose, mountain goats, caribou, mountain sheep, pronghorn antelopes, cougars, black bears, and grizzly bears.

**Summary of Bill:**

The elements of the crime of unlawful hunting of big game in the first degree are changed. A person may be convicted of this crime without first being convicted of a different wildlife-related crime if the person kills, or attempts to kill, three or more big game animals within the same course of events. The same course of events is defined to mean within a 24-hour period or as part of a series of acts evidencing a continuity of purpose.

The ability to prosecute the first degree of unlawful hunting of big game against a person with an earlier conviction is maintained.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) There is a problem with individuals who indiscriminately kill wildlife with no intention of putting the animal to any consumptive use. These people kill animals for the sheer thrill and not out of any sense of sport. The current punishment has proven insufficient as a deterrent and this will provide the Washington Department of Fish and Wildlife with an additional tool to combat this activity. Similar laws passed in other states have proven to deter the behavior. This so-called spree killing is on the rise in Washington and is very frustrating to legitimate hunters.

(Opposed) None.

**Persons Testifying:** Representative Kretz, prime sponsor; Bruce Bjork and Mike Cenci, Washington Department of Fish and Wildlife; Ed Owens, Hunters Heritage Council; Jennifer Hillman, The Humane Society of the United States; and Jack Field, Washington Cattlemen's Association.

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