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Panel mulls dangerous animal bill

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CHARLESTON — Is that a tiger prowling in the neighborhood? Could be.

Even a charging rhinoceros is not out of the question, given West Virginia's lack of a law governing animals with regard to size and threat to humanity.

All that could change in the 2009 legislative session, and the first glimpse of what could be a proposed "dangerous animals" bill could be unwrapped during January interims when the Parks, Recreation and Natural Resources Committee returns to work.

"Some folks are like private zookeepers," says Delegate Bill Proudfoot, D-Randolph, who raised concerns in this week's interims session.

"There's no oversight in health or that type of thing. We're going to put together some type of legislation."

Lawmakers tried a few years back to deal with imported animals in what was known as the "exotic animal" bill, but so many hands tinkered with it, the bill eventually grew so weighty and far-reaching that no one wanted to deal with it.

"It got so loaded, we just lost it," Proudfoot lamented after raising the issue before fellow panelists.

What has revived interest in dealing with animals that could be a threat to society was the revelation that a tiger escaped from a private farm not long ago and was gunned down in the Monongahela National Forest, half a dozen miles from Snowshoe Mountain Resort.

"That makes me nervous," Paul Johansen, assistant wildlife chief for the Division of Natural Resources, told the committee in the December interims.

In a follow-up Wednesday interview, Proudfoot said he found it disturbing that a dangerous animal the caliber of a tiger could suddenly appear in someone's backyard.

Proudfoot and the committee chairman, Sen. John Pat Fanning, D-McDowell, want to see some type of law enacted next year to deal with potentially threatening animals.

One thing they want to avoid is conflict with pet shop owners, which is what bogged down legislation a few years ago.

"I don't want to get into every snail, butterfly and all the other stuff," Proudfoot said.

"We got into exotic pets, and the first thing you know, the bill was stopped. That's the reason we don't want to use the term 'exotic animals.' We may have some things that are not exotic, but they're dangerous. I'm talking about timber wolves. They're not considered an exotic pet, but they are animals that are being caged or managed, in many cases, I guess, without permits. I'm not sure of the extent of the law."

Fanning and Johansen are on the same page about avoiding any clashes with pet shop owners.

"We're not trying to put the pet shops out of business," the DNR leader told the panel.

Fanning suggested committee counsel needs to keep the focus so that any proposal advanced in January is lasered in on dangerous animals.

"Something simple," Fanning told fellow committee members. "I don't think we need to complicate it."

Proudfoot said the panel will look at how other states, such as Tennessee, deal with the issue in drawing up legislation for West Virginia.

"I think where we are going is a piece of legislation that says if you're going to keep dangerous animals that we need to make sure, one, that they're kept well and also the people in the communities are protected," the delegate said.

"This is why I'd rather not get pet stores in the mix. We need to get a piece of legislation that we know we can get through and has merit and we can manage and put into law, rather than take off on a Christmas tree with all kinds of things dangling on it, and nothing happens."

Put simply, he wants a law that assures animals are properly fed and sheltered, that doesn't cause pet shop owners to lose sleep, nor gives folks in the vicinity any anxious moments.

"We lost a piece of legislation which we should have had two or three years ago," Proudfoot said.

"I don't want a piece of dolled up legislation. I think our concern is dangerous animals, or reptiles. I don't want to get into exotic pets. I just think common sense needs to prevail in this."

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