July 1997

The Probe, Issue 178 - July 1997

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Michigan Bear Referendum

Richard P. Smith, 814 Clark Street, Marquette, MI 49855

Editor's Note: This is the text of a presentation given by Mr. Smith to both the eastern and western black bear workshops, held in Mississippi and Washington State, respectively, during the spring of 1997.

During 1996, Michigan joined the list of states in which traditional wildlife management decision-making was challenged at the polls. A measure was put on the November ballot that, if passed, would have put wildlife management in the hands of the voters and taken it away from the professionals in the Department of Natural Resources who are most qualified to make such decisions. The measure was labeled Proposal D. It would have eliminated the use of bait and dogs for bear hunting and shortened the bear season.

Similar proposals have passed in a number of other states, but Proposal D did not pass in Michigan. The reason I'm here today is to provide some insight into why this happened, and I can tell you in one sentence: Lots of money, being proactive, thousands of hours of volunteer effort by non-agency personnel, and giving voters a choice.

The passage of "D" would have set a dangerous precedent that could eventually impact any and all forms of hunting, trapping, fishing, and other methods of management. This realization mobilized a lot of people who otherwise might not have gotten involved.

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Wildlife research by state or federal agencies and universities can also be negatively impacted by ballot initiatives, as Massachusetts found out last fall. A proposal on that state's ballot that outlawed the use of hounds and snares for hunting and trapping also eliminated their use for research purposes. Bear dogs used to play an important role in bear research in that state, but that's no longer possible.

Michigan residents who are concerned about wildlife management also learned valuable lessons from what happened in Colorado and Oregon. Many hunters in those states did not believe that bear hunting proposals would make it onto the ballot, much less be approved by voters. The threat wasn't taken seriously, if at all, until too late in those states.

That did not happen in Michigan. Our state's...
CALENDAR OF UPCOMING EVENTS

August 12-14, 1997: 7th Annual Meeting, Bird Strike Committee—USA, Ramada Inn, Logan Int’l. Airport, Boston, Massachusetts. Pre-registration fee $35 by July 14; room rate $89. For information regarding meeting, contact: Laura Henze, USDA/APHIS/ADC, 463 West St., Amherst, MA 01002, (413) 253-2403.

August 17-20, 1997: Symposium on Mammal Trapping, Univ. of Alberta, Edmonton, Alberta, Canada. Registration CDN$275 includes refereed proceedings. Univ. of Alberta dorm rooms available for CDN$26.88/night (single) or CDN$35.84/night (double); other nearby hotels are reasonable. Contact: Dr. Gilbert Proulx, Alpha Wildlife Res. & Mgmt. Ltd., 9 Garnet Crescent, Sherwood Park, Alberta, Canada T8A 2R7, (403) 464-5228, FAX (403) 417-0255, e-mail: alpha@xpress.ab.ca.


October 4-8, 1997: 51st Annual Conference, Southeastern Assoc. of Fish & Wildlife Agencies, Oklahoma City, OK. Contact: Kim Erickson, PO Box 53465, Oklahoma City, OK 73152, phone (405) 521-3721.

October 16-19, 1997: 8th Eastern Wildlife Damage Management Conference, Clarion Hotel and Conference Center, Roanoke, Virginia. NADCA Membership Meeting planned. Contact: Jim Parkhurst, Virginia Coop. Ext., Dept. of Fisheries & Wildlife Sciences, Virginia Tech, Blacksburg, VA 24061-0321, (540) 231-5573, FAX (540) 231-7580, e-mail: jparkhur@vt.edu


Brown Tree Snakes Continue to Plague Guam

When Laurence Portel lost his pet canary, that was the last straw. Portel, a retired Los Angeles firefighter, farms in the Inarajan district of Guam. Last year, Portel discovered his pet canary’s cage empty except for a brown snake with a bulge in his body, a dead giveaway to the canary’s whereabouts.

The canary’s death spurred Portel into action. He hacked off the snake’s head with a machete, and set out to eliminate as many snakes as he could find. In the following year, he killed 50 more of the troublesome serpents.

At one time Guam was snake free, but brown tree snakes appeared there several decades ago after a U.S. Navy ship unknowingly transported them from the Solomon Islands. The burgeoning snake population has exterminated more than a dozen native bird, lizard, and bat species. Brown tree snakes have also attacked newborn babies.

USDA-APHIS-ADC has been devoting significant resources to the brown tree snake problem for several years, in an attempt to find new solutions. Various control techniques have been tried, including hunting, trapping, and the use of Jack Russell terriers. There is currently experimentation on a virus that would produce a fatal flu that would only affect the snakes. One potential eradication method would be the introduction of king cobras, but residents worry that this solution might prove worse than the problem.

—Adapted from information found in U.S. News & World Report, June 2, 1997
June 06: [Forwarded Message]
The CT bill to prohibit nuisance wildlife control trappers from using cruel methods of killing (such as drowning, conibear traps, and injections of paint thinner), and to mandate humane education and prevention training for nuisance control operators, passed the CT State Senate late last night. The bill has now passed both chambers of the Legislature, and will go to the Governor's desk. Thanks to all the CT residents who wrote and called their State Representatives and State Senators. This bill will set a great precedent nationwide!

Mike Markarian <MikeM@fund.org>
The Fund for Animals

June 06:
I realize that I am probably just typing in a knee-jerk reaction, but just what exactly is “humane education and prevention training” ????

Here in Michigan, we have an organization called the Michigan Animal Damage Control Association (M.A.D.C.A.). There is considerable discussion on lobbying efforts or educational efforts. While both are needed, the incident in CT is a very good reason that organizations such as MADCA should be very politically active.

Good Luck Connecticut. I do hope your Governor has been educated enough and has nads enough to elect not to sign the bill.

Jack Ammerman <JackAm@aol.com>
Advanced Wildlife Removal, Flint, Michigan

June 06:
This has been a bad bill from the start, adopting AVMA standards on euthanasia for WILDLIFE, for which it was never intended. The next person that calls me with their septic system flooded by beavers I'm going to tell them to call Gov. Rowland, maybe he can help !!

—Alan Huot <AH0459@aol.com>

June 06:
I'm certainly not going to comment on the bill in its entirety because I haven't seen it. But if Alan or anyone else thinks AVMA standards were not meant to be applied to wildlife then they haven't read the AVMA standards. Wildlife are covered in the AVMA standards to the point of approving of shooting under certain conditions. Why shouldn't AVMA standards apply to the euthanization of live captured or injured wild animals? Euthanizing a captive animal is not the same as using a Conibear trap set under field conditions to kill it. Nothing in the AVMA standards could possibly be construed as to relate to field use of traps. Professional NWCOs should be the first to insist that captive live or injured wild animals be humanely euthanized. And injecting dry cleaning solvent (by whatever fancy name you want to give it) is certainly not acceptable.

Mike Dwyer <MDCritter@aol.com>
Critter Control of Columbus, OH

June 07:
While I certainly sympathize with your words, Mr. Huot, I think there is a better way. Do what I did. When the Antis got Question 1 passed in Massachusetts, I tripled the cost of my beaver removal. I am considering raising the price even more. In any event, being available does a couple of things:

1. You get the opportunity to explain our side of the story. I criticize the Antis with every client I meet. I know this war has to be fought in the trenches and on the grass root level.
2. You make money. Don't forget to smile when you get the check and tell your client how much less expensive it would have been if the Anti's didn't win.
3. You may force people to become outlaws by killing the animals themselves. Hopefully the Antis will go after these people with the same holy war attitude they come after us with.
4. Membership with national organizations will help us win this fight even though we will continue to lose over the next few years. Most of all we need to convince NADCA officials and members, especially the academic ones, that it is high time they came out of the closet. In fact, I think every biologist who supports fur trapping and responsible animal damage control ought to come out. In fact let's have one big coming out party to show the world that trapping, fur trapping and animal damage control trapping is okay. What do you say, biologists?

Stephen Vantassel <Stephen@WildlifeRemovalService.com>

Editor's Note: As of June 17, according to Rich Daniotti, Jr. (President, CT NWCO Assoc.), the Governor had not yet acted on the bill. Members of the CT affiliate are still lobbying the Governor's office to veto the bill.

The Editor thanks the following contributors to this issue: Mark Collinge, Mike Dwyer, Alan Huot, Gary Nunley, Richard Smith, and Stephen Vantassel. Send your contributions to The PROBE, 4070 University Road, Hopland, CA 95449.
ADC News, Tips, Ideas, Publications...

Teens Arrested for Animal Rights Activity

Three teenagers were recently arrested and charged with attempted agrivated arson in the attempted firebombing of the Montgomery Fur Company in Weber, Utah. The Animal Liberation Front (ALF), an organization with a long history of criminal activity, claimed credit for the aborted attack. However, the attorney for one of the 18-year-old boys charged said his client denies any affiliation with such a group.

Also in Utah, four teens were arrested recently for the August 1996 arson fire that destroyed a McDonald’s restaurant in West Jordan. The youths allegedly confessed the arson to police, saying they burned the restaurant to protest the slaughter of cattle, chicken, and fish. One of the four, a 19-year-old animal rights activist, faces up to five years in prison after pleading guilty to a third-degree felony.

[Editor’s note: And I’ll bet Ronald was pissed.]

—from the WLFA Update, May 1997

Sportsmen Protest ‘Alliance for Animals’ Meeting

In a refreshing turnabout, some 30 sportsmen and businessmen gathered at the Norfolk, Virginia Hilton on March 22 to protest a meeting of The Alliance for Animals. Led by the group “Common Sense for Virginia,” the protest captured the attention of local media, as well as of the animal activists who were meeting at the hotel apparently for the purpose of training animal rights advocates to become political activists.

Stated David Narr, one of the protest’s leaders and CSV Executive Director, “I believe the demonstration was a success from every standpoint. Normally, the animal rights people are demonstrating against us. This time, we decided to turn the tables. We had a well-organized, peaceful demonstration that attracted coverage from the major metropolitan daily newspaper and two of the three major network-affiliated television stations in a market of 1.5 million people—without violence, without intimidation, and without breaking any laws.”

Common Sense for Virginia was formed last year in response to the group People for the Ethical Treatment of Animals (PETA) having moved its international headquarters to Norfolk, VA. CSV is a statewide organization of people form the biomedical research community, small businessmen, conservationists, recreational sportsmen, and others determined to defend their right to engage in peaceful, time-honored pursuits and pastimes free from harassment or interference by animal rights extremists.

—summarized from the May/June 1997 issue of American Trapper magazine

Study Looks At Coyote Effects on Pronghorn

U.S. Fish & Wildlife Service scientists at the Hart Mountain National Antelope Refuge, Oregon, have initiated a study to determine how important coyotes’ predation is in the recent decline of pronghorn antelope. Mike Nunn, project leader, notes that January antelope counts show numbers have declined from 1,900 in 1991 to about 1,200 this winter. Last spring, 52 fawns were fitted with radio-transmitter collars, and 41 of those died. Coyotes were confirmed to have caused 17 of the deaths and were the “probable” cause of another 10 mortalities. The cause of death for 11 fawns was undetermined because, in addition to the radiocollar, only a body part was found—but Nunn suspects coyote predation. That would mean coyotes caused the loss of 38 of the 52 fawns, or 73%. Three fawns apparently died of other causes. Population studies show that 25% to 30% of all fawns must survive each year to maintain the refuge’s population. The 40-year survival average is 43 per 100, but between 1990 and 1996, the average has been only 20 per 100 born. In 1995, less than 1 fawn in 100 survived.

Additionally, habitat quality is a factor in the pronghorn study, inasmuch as some fawns have shown nutritional problems. “I don’t think there’s any doubt that coyote predation is a major factor, but we want to pursue all the alternatives,” said Mike Dunbar, a study participant who is chief investigator for the National Wildlife Health Center in Madison, Wisconsin. Dunbar is working with Cheryl Scott, a veterinarian from Davis, Calif., to collect blood samples from fawns, which are sent to Oregon State and to Michigan State Universities for trace mineral analysis. This spring, Oregon Dept. of Fish & Wildlife personnel are assisting federal research crews to observe births and tag fawns with radio-transmitters within hours of birth. Nunn believes fawns are most often taken by coyotes soon after birth, or when they start walking at about 10 days of age. To reduce the number of deaths from “undetermined” causes, pilots will fly the refuge searching for radio-equipped fawns so that carcasses can be found more quickly after death.

Refuge staff believe the number of coyotes at Hart Mountain has tripled in recent years, but exact population estimates are difficult. The current 2-year study resulted after the rejection of Nunn’s proposal that coyote populations near antelope birthing areas on the refuge be reduced by aerial hunting.

—from the May 30, 1997 Capital Press, Boise, ID.

Continued on page 7, col. 1
Arizona:

A major win has been accomplished in the State of Arizona vs. Kurt Bonnewell and James C. Conner. The legal action was over a statute created by an initiative that prohibited the use of steel leghold traps on public lands but did not prohibit the same activity on private land. The Court found that A.R.S. 17-301(D) violates Article 4, Part Two, Paragraph 19 of the Arizona constitution which protects against state law creating criminal culpability in a local or special law, or from providing special or exclusive privileges or immunities to certain parties while excluding others; therefore, A.R.S. 17-301 (D) was found to be unconstitutional, and the court granted the motion of both defendants for dismissal.

Bonnewell and Conner had been arrested in a staged event, designed specifically to test the constitutionality of this issue. The use of steel leghold traps is recognized by the Arizona Game and Fish Department to be a useful, effective and not inhumane tool for necessary wildlife management. The Minute Entry and Order of Dismissal states the use of steel leghold traps offers a number of potential benefits. In addition to the sales of furs, numerous benefits result from being able to effectively control many destructive impacts of wildlife by use of steel leghold traps. The statute provided private land owners all of the possible benefits of using the steel leghold traps, while completely denying any of the benefits to individuals using, maintaining, and managing public lands.

The matter is now subject to appeal by the attorney general’s office. Further good news is that the anti-trapping proponents have no standing in this case, because it is a case involving Arizona constitutional law.

California:

SB1143 was defeated in the Senate Natural Resources and Wildlife Committee by a vote of 4 to 3 with 2 abstentions. As originally introduced, this bill would have banned the use of dogs for hunting bear, bobcat, raccoon, opossum, fox, or coyote. The use, setting, placing, maintaining, or manufacture of any trap in California would also have been prohibited. The bill was backed by the California-based Mountain Lion Foundation, which pushed the successful 1990 ballot initiative to protect mountain lions and campaigned against Proposition 197, the unsuccessful 1996 ballot measure that would have returned authority for cougar management to the state’s Department of Fish & Game. Other groups supporting SB1143 included the Humane Society of the U.S., the Fund for Animals, the Ark Trust, Friends of Animals, and the International Fund for Animal Welfare. The successful effort to defeat SB1143 was led by Kathy Lynch, lobbyist for the California Sportsmen Coalition.

Colorado:

Senate Concurrent Resolution (SCR) 1 by Senator Ginette E. Dennis (R-Pueblo West) passed the test in the Senate, but failed passage on the House floor on May 7. The resolution stated that “fishing and hunting shall not be prohibited or otherwise restricted except as provided in state laws enacted by the General Assembly or set forth in rules adopted thereunder.” It was introduced to eliminate future initiatives from taking the rights and privileges away from law-abiding hunters, anglers, and trappers.

Wisconsin:

There are two bills concerning trapping and hunting in the Wisconsin Assembly:

AB-282 - A bill to Restrict the Use of Steeljaw Leghold Traps and Snares is being touted as restricting hazardous devices that are a danger to children, companion animals, and endangered species.

AB-182 - A bill to Ban The Hound Hunting of Bears. The animal rightists are citing the recent bans in Colorado, Oregon, Washington and Massachusetts.

Local representatives of the National Trappers Association says that no action is expected on either bill.

— distilled from information in WLFA UPDATE, the monthly newsletter of the Wildlife Legislative Fund of America, and the world wide web page of the National Trappers Association (http://www.nationaltrappers.com).
Michigan Bear Referendum

referendum was anticipated for at least two years by those of us who were paying attention. On a personal level, I had been planning on writing a book about Michigan black bear and the pending referendum gave me the incentive to do it, with the idea of using it as an educational tool. I had been closely following bear research and management in the state for many years as a hunter, writer, and photographer, spending a lot of time with state researchers.

My wife and I published Understanding Michigan Black Bear in the fall of 1995. We crammed as much information as possible about bears into the book, which ended up being 190 pages. [Editor’s Note: the book is available from the author at the above address for $16.50 per copy, postpaid.]

Before the book was published, a coalition of hunting organizations formed the Citizens for Professional Wildlife Management, which was the main group that campaigned against “D” and for “G”. One of the most important members of CPWM was the Michigan United Conservation Clubs. This conglomeration of sporting groups that already existed provided staff members and their office for fund raising and educational efforts. Michigan chapters of Safari Club International also played a prominent role, as did two active bear hunting organizations in the state.

Fund raising was the backbone for the successful campaign for “G” and against “D”. Like any political campaign, and that’s what this was, the amount of money in the war chest often separates winners from losers. The Upper Peninsula Sportsmens Alliance, one of the member groups of CPWM, came up with the best fund raising idea that helped lead to victory.

The Alliance conducted a raffle that raised over $1 million. The grand prize is what set this raffle apart from others. Forty acres of recreational land with a log cabin kit to put on it, was the grand prize. Tickets sold extremely well.

The money raised in the raffle, auctions, banquets, and from pledges made it possible to buy critical television time and ad space in newspapers to get the message to voters before the election. Long before Proposal D was officially on the ballot, bear hunting organizations were collecting pledges. A total of $1.8 million was it was used in the fight to protect professional wildlife management. Reserving television time early is critical during an election year. If CPWM had waited until signatures were certified, it might have been too late to purchase the necessary TV time. Successful fund raising efforts made it possible to get the necessary time.

Most of the campaign by the proponents of “D” was designed to deceive the public, and we didn’t let them get away with it. They maintained that eliminating bear hunting with bait and dogs would protect cubs. Cubs have been protected in Michigan since 1948. Sows in the company of cubs are also protected.

Besides ad time and space, Proposals D and G generated a lot of news coverage. Members of CPWM met with the editorial boards of many major newspapers in the state and got the support of all but one of them. To the credit of the Detroit News, one of Michigan’s largest newspapers, their editorial writer took time to go on bear hunts with bait and dogs, to find out for herself what they were like.

A Seattle, Washington based crew from CNN (Cable News Network) did the same thing. They took the editorial writer and CNN crew on bait hunts, and the Michigan Bear Hunters Association hosted them on hound hunts. Michigan has its share of outdoor writers and outdoor television shows, most of which devoted space and time to the ballot proposals. On a personal note, I wrote more newspaper and magazine articles about black bear during 1996 than ever before, in an effort to get the truth out about bear hunting and management. I actually spent a lot of time countering false information distributed by the proponents of “D”.

Most of the campaign by the proponents of “D” was designed to deceive the public, and we didn’t let them get away with it. They maintained that eliminating bear hunting with bait and dogs would protect cubs. Cub have been protected in Michigan since 1948. Sows in the company of cubs are also protected.

They claimed that both hunting methods are unSporting, unethical, and inhumane. Both hunting methods that were being challenged increase the opportunity for humane kills rather than decrease it. They also offer hunters the best means of clearly identifying protected versus unprotected bears. I’ve always understood that two of the most important responsibilities of an ethical hunter are to identify the target and make clean kills. I’ve also been told that non-hunters support hunting that meets that criteria.

In terms of rates of success, approximately 25 percent of bait and dog hunters in Michigan manage to shoot a bear. Any method that only results in one out of four hunters filling a tag does not qualify as unSporting. Proponents of “D” also claimed that bait and dog hunting was hurting the state’s bear population, another falsehood. The bear population has been increasing annually under a permit system started in 1990. Our permit system is similar to those in Minnesota and Wisconsin, limiting hunter numbers in specific management units, offering the best protection for bear numbers. Passage of “D” would have eliminated Michigan’s very successful bear management system. Continued on page 7, col. 1
Michigan Bear Referendum

Those who supported “D” also told voters they weren’t against bear hunting, just the use of bait and dogs. Then the “Make A Wish Foundation” sent a youngster from Minnesota, who had a brain tumor, on an Alaskan brown bear hunt. That hunt, which involved neither bait nor dogs, was strongly opposed by The Fund for Animals, one of the groups seeking passage of “D” in Michigan.

The support of Governor John Engler and DNR Director K. L. Cool, who accepted the directorship about the time the referendum was heating up, also played a role in the defeat of “D” and passage of “G”. Director Cool appeared in commercials supporting Proposal G and he was able to do that because he is not classified as a civil servant. And no public funds were used to make the commercials.

As far as advice for other states who may face a referendum on wildlife management in the future, I would suggest the formation of fund raising efforts by coalitions of sporting groups like CPWM as soon as possible. The more time they have to raise as much money as possible, the better. I would also suggest making an attempt to have measures like Proposal G passed in states before other hunting measures make it onto the ballot.

I didn’t mention that Michigan’s Proposal G was passed by the state legislature. Proposal D got on the ballot through the collection of voter signatures. People who circulated petitions to get “D” on the ballot were paid up to $2 per signature. And there’s no requirement that petition language be accurate to get a measure onto the ballot. Wording on the Michigan petitions claimed that a ban on bear hunting with bait and dogs would protect cubs, which is false, but it helped them get the signatures they needed. The petition language could only have been challenged after the election.

Another thing I think may help in the effort to protect professional wildlife management is solid research on the hunting methods that are being questioned. To my knowledge, little research effort has been spent gathering solid data on bear hunting with bait and dogs. In my opinion, it’s time for that to change. The Michigan United Conservation Clubs can provide additional advice for anyone who may face a similar referendum in the future. Rick Jameson is the Executive Director and Dennis Knapp was also actively involved in CPWM. The telephone number for MUCC is (517) 371-1041. The address is P.O. Box 30235, Lansing, MI 48909. I would also be willing to help out in any way I can.

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More ADC News...

Diverse Wildlife Problems in Texas

- A donut shop manager in Bryan, TX requested ADC assistance with a nuisance crow. The manager reported that for the past six months, the crow spent most of every day fighting a wide-angle mirror used to monitor drive-through customers. After several months of aggravation, the manager attempted to solve the crow problem by mounting a plastic owl next to the mirror. The plastic owl really irritated the crow, and the manager then called ADC for help. ADC recommended that the owl be removed permanently and the mirror be removed until the crow left the site. The crow finally left a few days after the owl and the mirror were removed.

- As otter populations in East Texas increase, so do damage complaints at aquaculture facilities. Damage to catfish at two sites was estimated to total $10,000. At another location, a catfish producer reported loss of both fingerlings and adults to otters, totaling $5,000. A biologist at one aquaculture facility observed that most damage occurred during cold weather, when he suspected the fish were sluggish and more easily caught. The fish caught by otters were pulled out on the bank but very few were fed upon; it appeared that the otters enjoyed the easy picking. Most such damage situations are being handled by use of Conibear and leghold traps to remove the otters.

- An ADC specialist responded to a request for gopher control from an Amarillo-based company that sells and installs above-ground swimming pools. Several of the company’s out-of-state projects have resulted in serious property loss due to gophers tunneling under the pools, causing liner damage and calling for a complete pool re-installation process. A recommendation was made that pools be placed only on concrete pads, rather than directly on soil. Information on a variety of gopher control techniques was also provided to the company.

- An ADC specialist, responding to a producer’s report of predation on angora goat kids, took four raccoons as well as a house cat that was caught in the act of attacking the kids. Fifteen kids had been killed by raccoons on the ranch before ADC was called. After ravens killed one angora kid and pecked the eyes out of another, the specialist removed the two offending birds using Compound DRC-1339-treated eggs.

—from The Trapline, June 1997, newsletter of the Texas ADC Program
Membership Renewal and Application Form

NATIONAL ANIMAL DAMAGE CONTROL ASSOCIATION

Mail to: Wes Jones, Treasurer, W8773 Pond View Drive, Shell Lake, WI 54871, Phone: (715) 468-2038

Name: __________________________ Phone: (___) _____ - _____ Home

Address: __________________________ Phone: (___) _____ - _____ Office

Additional Address Info: ____________________________________________________________

City: __________________________ State: __________ ZIP __________

Dues: $ __________ Donation: $ __________ Total: $ __________ Date: __________

Membership Class: Student $10.00 Active $20.00 Sponsor $40.00 Patron $100 (Circle one)

Select one type of occupation or principal interest:

[ ] Agriculture
[ ] USDA - APHIS - ADC or SAT
[ ] USDA - Extension Service
[ ] Federal - not APHIS or Extension
[ ] Foreign
[ ] Nuisance Wildlife Control Operator
[ ] Pest Control Operator
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[ ] ADC Equipment/Supplies
[ ] State Agency
[ ] Trapper
[ ] University

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