

# SENATE BILL REPORT

## ESSB 5831

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As Passed Senate, February 18, 2002

**Title:** An act relating to Initiative Measure No. 713.

**Brief Description:** Repealing the provisions of Initiative No. 713.

**Sponsors:** Senate Committee on Natural Resources, Parks & Shorelines (originally sponsored by Senators Swecker, Fairley, Oke, Constantine, Regala, Rasmussen and Hochstatter).

**Brief History:**

**Committee Activity:** Natural Resources, Parks & Shorelines: 2/15/01, 3/5/01 [DPS, DNP];  
1/30/02, 2/6/02 [DPS].

Passed Senate: 2/18/02, 38-11.

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### SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & SHORELINES

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**Majority Report:** That Substitute Senate Bill No. 5831 be substituted therefor, and the substitute bill do pass.

Signed by Senators Jacobsen, Chair; Poulsen, Vice Chair; Hargrove, McDonald and Oke.

**Staff:** Kari Guy (786-7437)

**Background:** Initiative 713, approved by the voters in November 2000, makes it a gross misdemeanor to use any body-gripping trap to capture any mammal. The initiative also makes it illegal to buy, sell, barter, or otherwise exchange the fur of a mammal that has been trapped with a body-gripping trap.

The Director of Fish and Wildlife may grant permits to use certain traps in limited circumstances, including protection of public health and safety, and wildlife research.

The intent of Initiative 713, as expressed by the initiative sponsors, was to ban inhumane traps used for commercial or recreational purposes. However, the bill makes it illegal to control all nuisance wildlife including moles, mountain beavers, and coyotes. These animals can cause damage to property and livestock.

**Summary of Bill:** The provisions of Initiative 713 are repealed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Initiative 713 was never intended to ban mole trapping, it was intended to ban inhumane trapping for fur. The voters pamphlet stated that mole trapping was not included. Since there is confusion about whether mole trapping is allowed, this bill is needed to clarify. The traps that are now considered illegal are the only effective and environmentally safe way to get rid of moles. Moles are damaging landscaping and parks, and some sports fields are becoming dangerous for kids to play on.

**Testimony Against:** Proponents of Initiative 713 consistently misled voters about the effects of the initiative. The initiative is not only limiting urban property owners from trapping moles, it is limiting ranchers and farmers from protecting their property as well. Livestock are being killed by predators, and ranchers' hands are tied. If the initiative is amended, it should be amended to resolve the problems for all property owners, not just urbanites.

**Testified:** Mary Wadel, Nick Wadel, Mole Trappers Assn. of WA; Murray Vining, Mole Trappers Assn. of WA (pro); Craig Vejraska, Okanogan County (con); Ed Owens, Citizens for Responsible Wildlife Management (con); Linda Johnson, Farm Bureau (con); Frederic Blauert, Farm Bureau, WA Sheep Prod. (con); Greg Schoenbachler, Farm Bureau, Silver Springs Ranch (con); Jim Zimmerman, WA Cattlemen's Assn. (con); Chuck Bailey, WA State Trappers Assn. (con); Lisa Nathane, The Humane Society of the U.S. (pro); Russ Cahill, Fish and Wildlife Commission; Bill Garvin, WFDA (pro); Kelli Larson, The Mole Patrol, Inc. (pro); Steve Dauma, WDFW.