
**Fisheries, Ecology & Parks
Committee**

HB 2371

Brief Description: Allowing for wildlife management through the limited use of body-gripping traps.

Sponsors: Representatives Cooper, Upthegrove and Hunt.

Brief Summary of Bill

- Expands the use of body-gripping traps to moles, gophers, and certain cattle and timber owners when operating under a special permit.
- Requires the Department of Fish and Wildlife to conduct public education on the use of special trapping permits.
- Creates the legislative furbearer study group to investigate the proper disposition of trapped animals.

Hearing Date: 1/16/2004

Staff: Jason Callahan (786-7117).

Background:

In November of 2000 the voters of Washington passed Initiative 713. This initiative made it a gross misdemeanor to use any body-gripping trap, defined as a trap that grips an animal or an animal's body part, to capture any mammal, or to use a leghold or neck snare trap to capture a mammal for recreation or commerce. The initiative also made it illegal to buy, sell, barter, or otherwise exchange the fur of a mammal that has been trapped with a body-gripping trap. Common rat and mouse traps are exempted from the definition of body-gripping traps (RCW 77.15.194).

The Director of the Department of Fish and Wildlife (DFW) may grant permits to private landowners to use certain traps in limited circumstances, including for the protection of public health and safety. Before an individual can be issued a 30-day special permit, he or she must show in writing that the problem can not be reasonably controlled by non-lethal means. The holders of special permits are required to inspect any traps at least once daily (RCW 77.15.194).

In addition to being prosecuted for a gross misdemeanor, a person who violates the prohibition on body-gripping traps is required to lose his or her trapping privileges for five years. Repeat

violators of the state's trapping laws face losing their trapping privileges permanently (RCW 77.15.198).

Some aspects of current trapping law predates the passage of Initiative 713. An individual must possess a DFW-issued trapping license in order to trap furbearing mammals. Prior to receiving a trapping license, an applicant must complete a course in safe, humane, and proper trapping techniques (RCW 77.65.460). The DFW is required to conduct such a program, and focus the education on trapping techniques designed to painlessly capture or instantly kill targeted mammals. In developing the educational program, the DFW is required to consult with, among others, humane and trapping organizations (RCW 77.65.460).

A trapper must first seek the permission of the landowner before setting a trap on private property, and all traps must carry an identification tag indicating the owner. If a property owner discovers a trap on his or her property, the owner may remove the trap and contact the DFW for the name and address of the trapper (RCW 77.32.545).

Summary of Bill:

Definitions

The definition of "body-gripping traps" is altered to exclude traps that are commonly used for capturing gophers and moles, so any trap type can be used to capture these animals in addition to mice and rats. In addition, the definition of "animal problem" is expanded to include any animal that threatens or damages public property, not just private property.

The term "mountain beaver" is defined as its scientific name, and the term "Conibear trap" is defined as traps sold under the Conibear brand name, as well as traps with similar function and design.

Trapping Permits for Livestock Owners

The Director of the DFW is authorized to issue a special coyote trapping permit to the owner of livestock if the owner can establish that a group of coyotes is either damaging livestock, or is a threat to damage livestock, during the livestock's birthing season. The special permit is valid for 30 days, and authorizes the holder to use otherwise prohibited padded leghold traps or non-strangling foot snares.

Trapping of Mountain Beavers

Commercial timber owners are authorized to use Number 100 Conibear traps to capture mountain beavers, but only if non-lethal control tools are found by the landowner to be unreasonable to apply. A permit is not needed for a commercial timber owner to trap mountain beavers; however, trapping success must be reported to the DFW annually.

Directions to the DFW

The DFW is required to conduct a series of statewide public outreach and education efforts during 2004 to educate the public about the special trapping permits that are available. By the end of the year, the DFW is required to report back to the Legislature with a summary of the educational efforts undertaken, as well as a summary of the trapping success achieved by permitted trappers.

Legislative Study Group

The legislative furbearer study group is created to investigate the issues and options associated with the proper treatment and ultimate disposition of animal pelts and carcasses lawfully captured and killed by body-gripping traps. The four-member study group is to be composed of one member from each caucus of the House of Representatives and the Senate. The study group will be staffed by the Office of Program Research and Senate Committee Services and must report suggested legislation, if applicable, back to the appropriate committees of the Legislature by the end of year.

Miscellaneous

It is clarified that all permitted use of body-gripping traps must be carried out consistently with all other applicable trapping provisions in state law, and that the pelts of animals lawfully captured in a trap that does not satisfy the definition of a "body-gripping trap" may still be sold.

Appropriation: None.

Fiscal Note: Requested 1/12/2004.

Effective Date: Immediately.