

FINAL BILL REPORT

SSB 5179

FULL VETO As Passed Legislature

Brief Description: Allowing the use of body-gripping traps in certain circumstances.

Sponsors: Senate Committee on Parks, Fish & Wildlife (originally sponsored by Senators Oke, Mulliken, Rasmussen and T. Sheldon).

Senate Committee on Parks, Fish & Wildlife

Background: In November 2000 Washington voters approved Initiative 713. The initiative makes it a gross misdemeanor to use any body-gripping trap to capture any mammal or to use a leghold or neck snare trap to capture a mammal for recreation or commerce. It is also illegal to buy, sell, barter or otherwise exchange the fur of a mammal trapped with a body-gripping trap. Common rat and mouse traps are exempt. The director of the Department of Fish and Wildlife may grant permits to use certain traps in limited circumstances, including protection of public health and safety, and wildlife research.

It is consistent with the requirements of Article 2, Section 41, of the Washington State Constitution for the Legislature to repeal or modify a citizen's initiative after two years.

Summary: Use of body-gripping traps with teeth or serrated edges is not allowed. Use of other body-gripping traps requires a permit and must be done by a licensed trapper, in accordance with adopted rules. Permits can be "programmatic" (to prevent damage or injury), "conditional use" (to respond to emergencies), and "restricted use" (to protect endangered species and habitat) and can be issued only for addressing an animal problem, a nuisance bird problem, falconry, furbearer management, and scientific research. These prohibitions and requirements do not apply to use by public or private property owners of traps commonly used to control moles, mice, rats, mountain beavers, gophers, and nutria. They also do not apply to all federal wildlife management agencies and their agents. Dealing in pelts of animals lawfully trapped according to the established requirements is not prohibited.

Furbearing mammals cannot be captured alive for sale or personal use. Lawfully trapped animals not intended for release must be humanely dispatched, or, if they are intended for release, be immediately released or taken to a rehabilitation center, if necessary. All trappers must report specified information annually, under penalty of license suspension. The Department of Fish and Wildlife must analyze the data and report to the Legislature. The department must also institute a furbearer management program.

Repeat violation results in revocation of a trapping license. A trapper whose license has been revoked must complete the commission's trapping education program, before another license can be issued. Licensed trappers under 15 years of age must be supervised. Licensed trappers active since 2000 are exempt from education requirements.

Votes on Final Passage:

Senate 37 12
House 52 46 (House amended)
Senate 35 13 (Senate concurred)