

# SENATE BILL REPORT

## SSB 6285

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As Passed Senate, February 16, 2004

**Title:** An act relating to trapping.

**Brief Description:** Providing for a regulated trapping program in the state.

**Sponsors:** Senate Committee on Parks, Fish & Wildlife (originally sponsored by Senators Oke, Doumit, Roach, Swecker, Stevens, Morton, Winsley, T. Sheldon, Sheahan, Jacobsen, Rasmussen, Haugen, Hargrove, Berkey, Hale, Honeyford, Mulliken and Parlette).

**Brief History:**

**Committee Activity:** Parks, Fish & Wildlife: 1/20/04, 2/2/04 [DPS].

Passed Senate: 2/16/04, 37-11.

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### SENATE COMMITTEE ON PARKS, FISH & WILDLIFE

**Majority Report:** That Substitute Senate Bill No. 6285 be substituted therefor, and the substitute bill do pass.

Signed by Senators Oke, Chair; Sheahan, Vice Chair; Doumit, Jacobsen, Morton, Spanel and Swecker.

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

**Background:** To trap for furbearing animals, a person must first purchase a trapping license from the Department of Fish and Wildlife. The fee for a trapping license is \$36 for residents, \$15 for residents under 16 years of age, or \$180 for nonresidents. People buying a trapping license for the first time must take a course or pass an exam in safe, humane, and proper trapping techniques. The department sets trapping seasons, trap check requirements, and catch reporting requirements by rule. A landowner may trap animals that are damaging crops or domestic animals without a license.

In November of 2000, the voters of Washington passed Initiative 713. The initiative made 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. The initiative also made it illegal to sell the fur of a mammal that has been trapped with a body-gripping trap. Common rat and mouse traps are exempt from the definition of body-gripping traps.

The Director of the Department of Fish and Wildlife may grant 30-day permits to use certain traps in limited circumstances, including for the protection of public health and safety or to abate an animal problem. To be issued a special permit, an applicant must show in writing that the problem cannot be reasonably controlled by non-lethal means. The holders of special permits are required to inspect any traps at least once every 24 hours. The director may also grant a special permit to use certain traps if necessary to protect endangered species or for wildlife research.

**Summary of Bill:** It is illegal to use body-gripping traps to capture wild animals or wild birds, except for nuisance species, without a trapping permit issued by the Department of Fish and Wildlife. Trapping permits may be issued for body-gripping traps to prevent damage or injury to property or resources, or to protect human health and safety. Trapping permits may be issued to meet a wildlife management objective only for the use of nonbody-gripping traps.

It is illegal to sell any part of a wild animal or wild bird other than a nuisance species trapped with any type of trap if the animal or bird was not taken under a trapping permit.

Nuisance species are defined as Columbian ground squirrels, Eastern grey squirrels, gophers, mice, moles, mountain beaver, opossum, and rats. Nuisance species may be trapped with body-gripping traps without a trapping license or permit.

A state trapping license does not allow the holder to trap animals or birds on another person's property for a fee. A new license is established for a nuisance wildlife control operator. A nuisance wildlife control operator may trap wild animals or birds on another person's property for a fee. The cost of the nuisance wildlife control operator license is \$250.

A landowner may trap wild animals or birds that are damaging property, crops or livestock, or pose a threat to human health and safety, with a nonbody-gripping trap without a trapping license or permit. A landowner may use a body-gripping trap only with a trapping permit.

It is the duty of every person operating a trap to ensure that all trapping is done humanely. The commission must adopt rules regarding types of traps, time intervals for checking traps, and use of bait. The rules may not allow the use of traps with teeth or serrated edges, or any spring pole type device.

All trappers and nuisance wildlife control operators must submit an accurate annual catch record to the department, and the department must submit a report on the catch to the Legislature each year.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** This is a comprehensive bill to provide a regulated trapping program. The bill eliminates the 30-day requirement on permits that has made the permit program time-consuming and ineffective for some landowners, like timber owners. The bill recognizes the need for trapping to resolve animal problems. The bill incorporates advances in trap technology, and allows the Fish and Wildlife Commission to specify traps by rule. And the bill prevents wastage, by allowing the lawful sale of pelts if the animals were trapped under permit. This is far less extensive than last year's bill, but is a step in the right direction.

**Testimony Against:** This is a de facto repeal of I-713. There are two provisions that are counter to I-713: allowing the sale of pelts from trapped animals, and authorizing a permitting system that doesn't first require that non-lethal means are tried.

**Testified:** Jerry G. Kilpatrick, WA Airport Manager's Assn., Yakima Air Terminal; Ed Owens, Citizens for Responsible Wildlife Management, Hunters Heritage Council (pro); Mark

Skatrud, NW Ecosystem Alliance (con); Katherine Bragdon, The Humane Society of the U.S. (con); Steve Pozzanghera, Bruce Bjork, WDFW (pro); Bill Gavin, WFPA (pro).