

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5179

58th Legislature
2003 Regular Session

Passed by the Senate April 25, 2003
YEAS 35 NAYS 13

President of the Senate

Passed by the House April 23, 2003
YEAS 52 NAYS 46

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Milton H. Doumit, Jr.,
Secretary of the Senate of the
State of Washington, do hereby
certify that the attached is
SUBSTITUTE SENATE BILL 5179 as
passed by the Senate and the House
of Representatives on the dates
hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5179

AS AMENDED BY THE HOUSE

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

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

READ FIRST TIME 02/11/03.

1 AN ACT Relating to body-gripping traps; amending RCW 77.08.010,
2 77.15.194, 77.65.450, 77.65.460, 77.32.545, and 77.15.198; adding new
3 sections to chapter 77.12 RCW; repealing RCW 77.15.192; and declaring
4 an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.12 RCW
7 to read as follows:

8 (1) The legislature finds that a professionally managed and
9 regulated trapping program is not only vital to the health of
10 Washington's wildlife populations, but is also consistent with the
11 state's obligations to manage all natural resources in trust for the
12 common good of all citizens.

13 (2) The legislature further finds that it is in the interest of all
14 of the citizens of Washington to ensure that all trapping is done in
15 accordance with sound scientific wildlife management principles using
16 humane methods as set forth in this act. It is the legislature's
17 intent to implement a sound furbearer management program, administered
18 using sound science by the department of fish and wildlife, that
19 addresses an animal problem as defined in RCW 77.08.010.

1 (3) The legislature further finds that humanely regulated trapping
2 practices used to control animal problems contribute positively to the
3 economic well-being of the state of Washington, to public health and
4 welfare by assisting to control the spread of animal-borne disease, and
5 to the protection of private and public property from damage resulting
6 from uncontrolled animal populations.

7 (4) The legislature further finds that the sale, trade, or barter
8 of wild animal pelts is consistent with the legislature's intent not to
9 waste a valuable wildlife resource.

10 (5) The legislature recognizes that among the choices available for
11 the trapping of animals, some may cause pain and suffering in the
12 animals captured. The legislature further recognizes that some
13 trapping methods can capture animals that are not targeted, including
14 pets. It is the policy of the state of Washington to minimize the use
15 of indiscriminate or painful traps and to use all traps humanely. When
16 lethal trapping methods are used, such methods must be used in the most
17 humane way that accomplishes the goal of reducing animal problems. All
18 trappers in the state should use all practicable means necessary to
19 avoid the capture of a nontargeted animal.

20 **Sec. 2.** RCW 77.08.010 and 2002 c 281 s 2 are each amended to read
21 as follows:

22 As used in this title or rules adopted under this title, unless the
23 context clearly requires otherwise:

24 (1) "Director" means the director of fish and wildlife.

25 (2) "Department" means the department of fish and wildlife.

26 (3) "Commission" means the state fish and wildlife commission.

27 (4) "Person" means and includes an individual; a corporation; a
28 public or private entity or organization; a local, state, or federal
29 agency; all business organizations, including corporations and
30 partnerships; or a group of two or more individuals acting with a
31 common purpose whether acting in an individual, representative, or
32 official capacity.

33 (5) "Fish and wildlife officer" means a person appointed and
34 commissioned by the director, with authority to enforce this title and
35 rules adopted pursuant to this title, and other statutes as prescribed
36 by the legislature. Fish and wildlife officer includes a person

1 commissioned before June 11, 1998, as a wildlife agent or a fisheries
2 patrol officer.

3 (6) "Ex officio fish and wildlife officer" means a commissioned
4 officer of a municipal, county, state, or federal agency having as its
5 primary function the enforcement of criminal laws in general, while the
6 officer is in the appropriate jurisdiction. The term "ex officio fish
7 and wildlife officer" includes special agents of the national marine
8 fisheries service, state parks commissioned officers, United States
9 fish and wildlife special agents, department of natural resources
10 enforcement officers, and United States forest service officers, while
11 the agents and officers are within their respective jurisdictions.

12 (7) "To hunt" and its derivatives means an effort to kill, injure,
13 capture, or harass a wild animal or wild bird.

14 (8) "To trap" and its derivatives means a method of hunting using
15 devices to capture wild animals or wild birds.

16 (9) "To fish," "to harvest," and "to take," and their derivatives
17 means an effort to kill, injure, harass, or catch a fish or shellfish.

18 (10) "Open season" means those times, manners of taking, and places
19 or waters established by rule of the commission for the lawful hunting,
20 fishing, taking, or possession of game animals, game birds, game fish,
21 food fish, or shellfish that conform to the special restrictions or
22 physical descriptions established by rule of the commission or that
23 have otherwise been deemed legal to hunt, fish, take, harvest, or
24 possess by rule of the commission. "Open season" includes the first
25 and last days of the established time.

26 (11) "Closed season" means all times, manners of taking, and places
27 or waters other than those established by rule of the commission as an
28 open season. "Closed season" also means all hunting, fishing, taking,
29 or possession of game animals, game birds, game fish, food fish, or
30 shellfish that do not conform to the special restrictions or physical
31 descriptions established by rule of the commission as an open season or
32 that have not otherwise been deemed legal to hunt, fish, take, harvest,
33 or possess by rule of the commission as an open season.

34 (12) "Closed area" means a place where the hunting of some or all
35 species of wild animals or wild birds is prohibited.

36 (13) "Closed waters" means all or part of a lake, river, stream, or
37 other body of water, where fishing or harvesting is prohibited.

1 (14) "Game reserve" means a closed area where hunting for all wild
2 animals and wild birds is prohibited.

3 (15) "Bag limit" means the maximum number of game animals, game
4 birds, or game fish which may be taken, caught, killed, or possessed by
5 a person, as specified by rule of the commission for a particular
6 period of time, or as to size, sex, or species.

7 (16) "Wildlife" means all species of the animal kingdom whose
8 members exist in Washington in a wild state. This includes but is not
9 limited to mammals, birds, reptiles, amphibians, fish, and
10 invertebrates. The term "wildlife" does not include feral domestic
11 mammals, old world rats and mice of the family Muridae of the order
12 Rodentia, or those fish, shellfish, and marine invertebrates classified
13 as food fish or shellfish by the director. The term "wildlife"
14 includes all stages of development and the bodily parts of wildlife
15 members.

16 (17) "Wild animals" means those species of the class Mammalia whose
17 members exist in Washington in a wild state and the species *Rana*
18 *catesbeiana* (bullfrog). The term "wild animal" does not include feral
19 domestic mammals or old world rats and mice of the family Muridae of
20 the order Rodentia.

21 (18) "Wild birds" means those species of the class Aves whose
22 members exist in Washington in a wild state.

23 (19) "Protected wildlife" means wildlife designated by the
24 commission that shall not be hunted or fished.

25 (20) "Endangered species" means wildlife designated by the
26 commission as seriously threatened with extinction.

27 (21) "Game animals" means wild animals that shall not be hunted
28 except as authorized by the commission.

29 (22) "Fur-bearing animals" means game animals that shall not be
30 trapped except as authorized by the commission.

31 (23) "Game birds" means wild birds that shall not be hunted except
32 as authorized by the commission.

33 (24) "Predatory birds" means wild birds that may be hunted
34 throughout the year as authorized by the commission.

35 (25) "Deleterious exotic wildlife" means species of the animal
36 kingdom not native to Washington and designated as dangerous to the
37 environment or wildlife of the state.

1 (26) "Game farm" means property on which wildlife is held or raised
2 for commercial purposes, trade, or gift. The term "game farm" does not
3 include publicly owned facilities.

4 (27) "Person of disability" means a permanently disabled person who
5 is not ambulatory without the assistance of a wheelchair, crutches, or
6 similar devices.

7 (28) "Fish" includes all species classified as game fish or food
8 fish by statute or rule, as well as all fin fish not currently
9 classified as food fish or game fish if such species exist in state
10 waters. The term "fish" includes all stages of development and the
11 bodily parts of fish species.

12 (29) "Raffle" means an activity in which tickets bearing an
13 individual number are sold for not more than twenty-five dollars each
14 and in which a permit or permits are awarded to hunt or for access to
15 hunt big game animals or wild turkeys on the basis of a drawing from
16 the tickets by the person or persons conducting the raffle.

17 (30) "Youth" means a person fifteen years old for fishing and under
18 sixteen years old for hunting.

19 (31) "Senior" means a person seventy years old or older.

20 (32) "License year" means the period of time for which a
21 recreational license is valid. The license year begins April 1st, and
22 ends March 31st.

23 (33) "Saltwater" means those marine waters seaward of river mouths.

24 (34) "Freshwater" means all waters not defined as saltwater
25 including, but not limited to, rivers upstream of the river mouth,
26 lakes, ponds, and reservoirs.

27 (35) "State waters" means all marine waters and fresh waters within
28 ordinary high water lines and within the territorial boundaries of the
29 state.

30 (36) "Offshore waters" means marine waters of the Pacific Ocean
31 outside the territorial boundaries of the state, including the marine
32 waters of other states and countries.

33 (37) "Concurrent waters of the Columbia river" means those waters
34 of the Columbia river that coincide with the Washington-Oregon state
35 boundary.

36 (38) "Resident" means a person who has maintained a permanent place
37 of abode within the state for at least ninety days immediately

1 preceding an application for a license, has established by formal
2 evidence an intent to continue residing within the state, and who is
3 not licensed to hunt or fish as a resident in another state.

4 (39) "Nonresident" means a person who has not fulfilled the
5 qualifications of a resident.

6 (40) "Shellfish" means those species of marine and freshwater
7 invertebrates that have been classified and that shall not be taken
8 except as authorized by rule of the commission. The term "shellfish"
9 includes all stages of development and the bodily parts of shellfish
10 species.

11 (41) "Commercial" means related to or connected with buying,
12 selling, or bartering.

13 (42) "To process" and its derivatives mean preparing or preserving
14 fish, wildlife, or shellfish.

15 (43) "Personal use" means for the private use of the individual
16 taking the fish or shellfish and not for sale or barter.

17 (44) "Angling gear" means a line attached to a rod and reel capable
18 of being held in hand while landing the fish or a hand-held line
19 operated without rod or reel.

20 (45) "Fishery" means the taking of one or more particular species
21 of fish or shellfish with particular gear in a particular geographical
22 area.

23 (46) "Limited-entry license" means a license subject to a license
24 limitation program established in chapter 77.70 RCW.

25 (47) "Seaweed" means marine aquatic plant species that are
26 dependent upon the marine aquatic or tidal environment, and exist in
27 either an attached or free floating form, and includes but is not
28 limited to marine aquatic plants in the classes Chlorophyta,
29 Phaeophyta, and Rhodophyta.

30 (48) "Trafficking" means offering, attempting to engage, or
31 engaging in sale, barter, or purchase of fish, shellfish, wildlife, or
32 deleterious exotic wildlife.

33 (49) "Invasive species" means a plant species or a nonnative animal
34 species that either:

35 (a) Causes or may cause displacement of, or otherwise threatens,
36 native species in their natural communities;

37 (b) Threatens or may threaten natural resources or their use in the
38 state;

1 (c) Causes or may cause economic damage to commercial or
2 recreational activities that are dependent upon state waters; or

3 (d) Threatens or harms human health.

4 (50) "Prohibited aquatic animal species" means an invasive species
5 of the animal kingdom that has been classified as a prohibited aquatic
6 animal species by the commission.

7 (51) "Regulated aquatic animal species" means a potentially
8 invasive species of the animal kingdom that has been classified as a
9 regulated aquatic animal species by the commission.

10 (52) "Unregulated aquatic animal species" means a nonnative animal
11 species that has been classified as an unregulated aquatic animal
12 species by the commission.

13 (53) "Unlisted aquatic animal species" means a nonnative animal
14 species that has not been classified as a prohibited aquatic animal
15 species, a regulated aquatic animal species, or an unregulated aquatic
16 animal species by the commission.

17 (54) "Aquatic plant species" means an emergent, submersed,
18 partially submersed, free-floating, or floating-leaving plant species
19 that grows in or near a body of water or wetland.

20 (55) "Body-gripping trap" means a steel trap that grips an animal's
21 body or body part, including steel-jawed foothold trap, neck snare, or
22 foot snare.

23 (56) "Raw fur" means a pelt that has not been processed for
24 purposes of retail sale.

25 (57) "Animal problem" means damage, injury, or reasonable threat of
26 damage or injury, caused by furbearing mammals, unclassified wildlife,
27 or deleterious exotic wildlife to: Public or private property or
28 resources; livestock or other domestic animals; or human health or
29 safety.

30 (58) "Nuisance wildlife" means moles, mice, rats, mountain beavers,
31 gophers, nutria, and other wildlife so designated by the commission by
32 rule.

33 (59) "Nuisance bird problem" means damage, injury, or reasonable
34 threat of damage or injury, caused by avian species to: Public or
35 private property or resources; human health; or public safety.

36 (60) "Programmatic trapping permit" means a permit issued by the
37 director for the following purposes: (a) For furbearer management unit
38 purposes; (b) to prevent damage or injury, or a reasonable threat of

1 damage or injury, to (i) public or private property or resources; (ii)
2 livestock or other domestic animals; (iii) agricultural, timber, and
3 horticultural resources; (iv) human health or safety; or (v) other
4 purposes so designated by the commission by rule.

5 (61) "Conditional use trapping permit" means an emergency permit,
6 limited to specific times, purposes, and areas, issued by the director
7 to address unanticipated and immediate damage or injury to public or
8 private property or resources or other purposes designated by the
9 commission by rule.

10 (62) "Restricted use trapping permit" means a permit issued by the
11 director to protect either sensitive or endangered species and habitat,
12 or both, or other purposes designated by the commission by rule.

13 **Sec. 3.** RCW 77.15.194 and 2001 c 1 s 3 are each amended to read as
14 follows:

15 It is the duty of every trapper to ensure that all trapping is done
16 humanely. To ensure that this goal is met, all trappers must abide by
17 the following:

18 (1) It is unlawful to use or authorize the use of any (~~steel-jawed~~
19 ~~leghold trap, neck snare, or other~~) body-gripping trap to capture any
20 mammal (~~for recreation or commerce in fur~~) without a permit issued by
21 the director, except no trap with teeth or serrated edges may be
22 permitted. The director may only issue a permit under this section for
23 the purposes of addressing an animal problem, nuisance bird problem,
24 capturing live raptors for falconry, for furbearer management program
25 needs, or for conducting scientific research.

26 (2) It is unlawful to knowingly buy, sell, barter, or otherwise
27 exchange, or offer to buy, sell, barter, or otherwise exchange the raw
28 fur of a mammal or a mammal that has been trapped in (~~this state with~~
29 ~~a steel-jawed leghold trap or any other body-gripping trap, whether or~~
30 ~~not pursuant to permit.~~

31 ~~(3) It is unlawful to use or authorize the use of any steel-jawed~~
32 ~~leghold trap or any other body-gripping trap to capture any animal,~~
33 ~~except as provided in subsections (4) and (5) of this section.~~

34 ~~(4) Nothing in this section prohibits the use of a Conibear trap in~~
35 ~~water, a padded leghold trap, or a nonstrangling type foot snare with~~
36 ~~a special permit granted by [the] director under (a) through (d) of~~
37 ~~this subsection. Issuance of the special permits shall be governed by~~

1 rules adopted by the department and in accordance with the requirements
2 of this section. Every person granted a special permit to use a trap
3 or device listed in this subsection shall check the trap or device at
4 least every twenty four hours.

5 (a) Nothing in this section prohibits the director, in consultation
6 with the department of social and health services or the United States
7 department of health and human services from granting a permit to use
8 traps listed in this subsection for the purpose of protecting people
9 from threats to their health and safety.

10 (b) Nothing in this section prohibits the director from granting a
11 special permit to use traps listed in this subsection to a person who
12 applies for such a permit in writing, and who establishes that there
13 exists on a property an animal problem that has not been and cannot be
14 reasonably abated by the use of nonlethal control tools, including but
15 not limited to guard animals, electric fencing, or box and cage traps,
16 or if such nonlethal means cannot be reasonably applied. Upon making
17 a finding in writing that the animal problem has not been and cannot be
18 reasonably abated by nonlethal control tools or if the tools cannot be
19 reasonably applied, the director may authorize the use, setting,
20 placing, or maintenance of the traps for a period not to exceed thirty
21 days.

22 (c) Nothing in this section prohibits the director from granting a
23 special permit to department employees or agents to use traps listed in
24 this subsection where the use of the traps is the only practical means
25 of protecting threatened or endangered species as designated under RCW
26 77.08.010.

27 (d) Nothing in this section prohibits the director from issuing a
28 permit to use traps listed in this subsection, excluding Conibear
29 traps, for the conduct of legitimate wildlife research.

30 (5) Nothing in this section prohibits the United States fish and
31 wildlife service, its employees or agents, from using a trap listed in
32 subsection (4) of this section where the fish and wildlife service
33 determines, in consultation with the director, that the use of such
34 traps is necessary to protect species listed as threatened or
35 endangered under the federal endangered species act (16 U.S.C. Sec.
36 1531 et seq.)) violation of subsection (1) of this section. To
37 prevent wastage, nothing in this section prohibits the sale, barter, or

1 trade of an animal carcass or pelt, or the donation of an animal
2 carcass or pelt for scientific research or public health training
3 lawfully taken under this title.

4 (3)(a) All trapping of wild animals using body-gripping traps must
5 be conducted by trappers licensed by the department under RCW
6 77.65.450, under a permit from the director, and in accordance with the
7 rules developed by the commission as they relate to wildlife trapping.
8 However, nothing in this section prohibits the use of commonly used
9 traps by public or private property owners or their agents operating on
10 their property to control the following nuisance wildlife: Moles,
11 mice, rats, mountain beavers, gophers, and nutria.

12 (b) Furbearing mammals may not be taken from the wild and held
13 alive for sale or personal use. All trapping of furbearing mammals
14 must be conducted in furtherance of a wildlife trapping program being
15 implemented by the department for an animal problem, for scientific
16 research, or for mammal population management as defined by the
17 commission by rule.

18 (c) Wildlife unintentionally trapped while trapping to manage an
19 animal problem, or while conducting scientific research, must, if
20 possible, be released unharmed immediately upon discovery. The
21 commission may adopt by rule or guideline procedures for the handling
22 of any animal that is unable to be released unharmed.

23 (d) Lawfully trapped wild animals, if not intended for release,
24 must be humanely dispatched, or if intended for release, must be either
25 immediately released or immediately taken to a rehabilitation center,
26 if necessary. The commission may adopt by rule or guideline procedures
27 for the humane dispatch of captured animals.

28 (4)(a) It is unlawful for a licensed trapper to fail to complete
29 and submit to the department a report of catch postmarked on or before
30 April 20th of each year. The report must be submitted to the
31 department regardless of trapping success, and indicate the number,
32 general location, and species of all animals captured, including those
33 animals captured that were not part of an animal problem. The report
34 must also include details for domestic pets captured in traps, the
35 circumstances for each specific incident, and if the domestic pet was
36 injured or released unharmed. Trappers who fail to submit an accurate
37 report of catch shall have their trapping privileges suspended for one

1 year. False reports are considered failure to report. It is the
2 responsibility of each licensed trapper to obtain and submit a report
3 of catch on forms provided by the department.

4 (b) The department shall maintain and analyze all catch reports
5 received pursuant to (a) of this subsection. Data collected on catch
6 reports must be presented to the appropriate legislative committees by
7 November 30th of each year.

8 (5) Federal wildlife management agencies and their employees and
9 agents, while acting lawfully within the scope of their authority, are
10 not subject to the provisions of this section.

11 NEW SECTION. Sec. 4. A new section is added to chapter 77.12 RCW
12 to read as follows:

13 The commission shall adopt appropriate rules regarding the types of
14 traps and bait for use in capturing wildlife to ensure the humane
15 treatment of captured animals. In adopting these rules, the commission
16 may take into consideration the effectiveness of various trap sizes,
17 approved best management practices, and the habitats in which the traps
18 may be used. These rules must address the time intervals during which
19 specific traps must be checked and animals removed. These rules may
20 not allow for the use of traps with teeth or serrated edges or a neck
21 or body snare attached to a spring pole or any spring pole type device.
22 The commission must also adopt rules for the appropriate disposal of
23 carcasses.

24 NEW SECTION. Sec. 5. A new section is added to chapter 77.12 RCW
25 to read as follows:

26 The department shall institute a furbearer management program that
27 addresses animal problems and shall only issue programmatic trapping,
28 conditional use, or restricted use trapping permits, as those terms are
29 defined in RCW 77.08.010, and trapping licenses or propose rules
30 consistent with this program.

31 **Sec. 6.** RCW 77.65.450 and 1991 sp.s. c 7 s 3 are each amended to
32 read as follows:

33 A state trapping license in combination with a programmatic
34 trapping permit, conditional use trapping permit, or restricted use
35 trapping permit from the director allows the holder to trap fur-bearing

1 animals throughout the state in accordance with the rules adopted by
2 the commission under section 4 of this act; however, a trapper may not
3 place traps on public or private property without permission of the
4 owner, lessee, or tenant where the land is improved and apparently
5 used, or where the land is fenced or enclosed in a manner designed to
6 exclude intruders or to indicate a property boundary line, or where
7 notice is given by posting in a conspicuous manner. A state trapping
8 license is void on April 1st following the date of issuance. The fee
9 for this license is thirty-six dollars for residents sixteen years of
10 age or older, (~~fifteen~~) twenty dollars for residents under sixteen
11 years of age, and (~~one~~) two hundred (~~eighty~~) dollars for
12 nonresidents. Licensed trappers age fifteen years and younger must be
13 under the direct supervision of a licensed adult trapper when engaged
14 in trapping activities. The fee for a programmatic trapping permit for
15 residents sixteen years of age or older and nonresidents, for animal
16 problems as that term is defined in RCW 77.08.010, is twelve dollars
17 and fifty cents. A trapping license is valid for using body-gripping
18 traps in combination with a permit for the control of animal problems,
19 as that term is defined in RCW 77.08.010, or for scientific research.
20 The live capture of raptors for falconry, or scientific research, by
21 use of a foot snare or other body-gripping trap may also be authorized
22 by rule of the commission.

23 **Sec. 7.** RCW 77.65.460 and 1987 c 506 s 82 are each amended to read
24 as follows:

25 All persons purchasing a state trapping license (~~for the first~~
26 time)) after April 1, 2003, shall (~~present certification of completion~~
27 of)) complete a course of instruction in safe, humane, and proper
28 trapping techniques or pass an examination to establish that the
29 applicant has the requisite knowledge. Licensed trappers who have been
30 active in state-regulated trapping since November 2000 are exempt from
31 this provision.

32 The director shall establish a program for training persons in
33 trapping techniques and responsibilities in urban, suburban, and rural
34 settings, including the use of trapping devices designed to painlessly
35 capture or instantly kill. The director shall cooperate with
36 (~~national and state animal, humane~~) recognized Washington state based
37 animal shelters, wildlife rehabilitation centers, and similar entities

1 providing animal care and rehabilitation services, hunter education,
2 and Washington state based trapping organizations in the development
3 and instruction of ((a-curriculum)) trapper training. Upon successful
4 completion of the course, trainees shall receive a trapper's training
5 certificate signed by an authorized instructor. This certificate is
6 evidence of compliance with this section.

7 **Sec. 8.** RCW 77.32.545 and 1998 c 190 s 121 are each amended to
8 read as follows:

9 A property owner, lessee, or tenant may remove a trap placed on the
10 owner's, lessee's, or tenant's posted or fenced property by a trapper.
11 A property owner, lessee, or tenant who discovers a trap placed on any
12 portion of his or her property that is not authorized by the owner,
13 lessee, or tenant, may report the finding to the department, including
14 whether a live animal is captured in the trap. The commission may
15 adopt by rule or guideline procedures for the handling of live animals
16 discovered in such traps.

17 Trappers shall attach to the chain of their traps or devices a
18 legible metal tag with either the department identification number of
19 the trapper or the name and address of the trapper in English letters
20 not less than one-eighth inch in height.

21 When a property owner, lessee, or tenant presents a trapper
22 identification number to the department for a trap found upon the
23 property of the owner, lessee, or tenant and requests identification of
24 the trapper, the department shall provide the requestor with the name
25 and address of the trapper. Prior to disclosure of the trapper's name
26 and address, the department shall obtain the name and address of the
27 requesting individual in writing and after disclosing the trapper's
28 name and address to the requesting individual, the requesting
29 individual's name and address shall be disclosed in writing to the
30 trapper whose name and address was disclosed.

31 **Sec. 9.** RCW 77.15.198 and 2001 c 1 s 5 are each amended to read as
32 follows:

33 Any person who violates RCW 77.15.194 or 77.15.196 is guilty of a
34 gross misdemeanor. In addition to appropriate criminal penalties, the
35 director shall revoke the trapping license of any person convicted of
36 a repeat violation of RCW 77.15.194 or 77.15.196. The director shall

1 not issue the violator a trapping license for a period of five years
2 following the revocation. (~~Following a subsequent conviction for a~~
3 ~~violation of RCW 77.15.194 or 77.15.196 by the same person, the~~
4 ~~director shall not issue a trapping license to the person at any time~~)
5 A person may not be granted a new trapping license following a
6 revocation under this section unless that person completes the
7 education program outlined in RCW 77.65.460 not more than one year
8 before a new license is granted.

9 NEW SECTION. Sec. 10. RCW 77.15.192 (Definitions) and 2001 c 1 s
10 2 are each repealed.

11 NEW SECTION. Sec. 11. This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately.

--- END ---