

SENATE BILL REPORT

ESB 5319

As Passed Senate, February 22, 2006

Title: An act relating to trapping.

Brief Description: Concerning animal trapping.

Sponsors: Senators Oke, Doumit, Roach, Hargrove, Honeyford, Swecker, Schoesler, Rasmussen, Berkey, Delvin, Morton, Regala, Sheldon, Stevens, Johnson and Mulliken.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 2/3/05, 2/7/05 [DP].
Passed Senate: 3/8/05, 40-8; 2/22/06, 35-11.

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Oke, Ranking Minority Member; Hargrove, Morton, Spanel, Stevens and Swecker.

Staff: Vic Moon (786-7469)

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 leg hold 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.

Committee/Commission/Task Force Created: No.

Effective Date: An emergency clause is included and the bill takes effect immediately.

Testimony For: The present permit system is too cumbersome and a new permit must be requested every thirty days. There are unsafe conditions in parks and at airports caused by nuisance wildlife and the allowed trapping methods are not effective.

Testimony Against: The initiative was passed by the electorate and should not be changed by the legislature. The trapping methods prohibited by the initiative are inhumane and cruel and should not be allowed.

Who Testified: PRO: Ed Owens, Hunters Heritage Council; Jack Field, Washington Cattleman's Association; Jerry Kilpatrick, Washington Airport Management Association; Jim Zimmerman, Washington Fish Growers Association; Leslie Betlach, City of Renton Department of Parks.

CON: Robert Reder, Humane Society of the United States.