



INITIATIVE MEASURE 713

PROPOSED TO THE PEOPLE

Note: The ballot title and explanatory statement were written by the Attorney General as required by law. The complete text of Initiative Measure 713 begins on page 24.

Statement For

VOTE "YES" ON I-713 TO RESTRICT CRUEL AND DANGEROUS STEEL-JAWED LEGHOLD TRAPS AND DEADLY POISONS

STEEL-JAWED LEGHOLD TRAPS ARE CRUEL AND INHUMANE

Steel-jawed leghold traps and other body-gripping animal traps cause severe injury and suffering to wildlife and pets, causing lacerations, broken bones, and joint dislocations. The American Veterinary Medical Association, the World Veterinary Association, and the American Animal Hospital Association declare steel-jawed leghold traps "inhumane."

TRAPS AND POISONS POSE A DANGER TO CHILDREN, FAMILY PETS, AND ENDANGERED SPECIES AND ARE INDISCRIMINATE

Steel traps and lethal poisons such as sodium cyanide do not discriminate, victimizing any creature that stumbles upon them including eagles, cats, and dogs. They are like land mines. For every "target" animal killed by a trapper, studies indicate there are up to ten "non-target" victims.

ANIMALS SUFFER PROLONGED AND PAINFUL DEATHS IN STEEL-JAWED LEGHOLD TRAPS AND OTHER BODY-GRIPPING TRAPS

Animal victims languish in traps without food or water and with no protection from the elements or predators. Some animals chew off their feet to escape. Trappers kill animals by stomping, bludgeoning, and strangulation.

I-713 PROTECTS PEOPLE, LANDOWNERS, RANCHERS, THREATENED AND ENDANGERED SPECIES

I-713 does not ban all trapping. It prohibits the use of cruel traps for commercial and recreational purposes. Exceptions allow the use of certain body-gripping traps to protect human health and safety, private property, livestock,

Official Ballot Title:

Shall it be a gross misdemeanor to capture an animal with certain body-gripping traps, or to poison an animal with sodium fluoroacetate or sodium cyanide?

The law as it presently exists:

The trapping and handling of wildlife are currently the subject of a number of Washington statutes. Revised Code of Washington (RCW) 77.12.040 and RCW 77.15.190 provide the department of fish and wildlife the authority to adopt rules governing the trapping of wild animals. The department has adopted rules making certain trapping

or threatened and endangered species or for wildlife research. Rat, mouse, and cage traps are exempted. I-713 is a reasonable and common sense measure that brings Washington's trapping policies into the 21st century.

I-713 HAS BROAD SUPPORT

I-713 is endorsed by more than eighty-five conservation groups including eight Audubon Society chapters and leading environmental organizations, veterinarians, and elected officials including the Seattle City Council. Three thousand volunteers gathered a quarter of a million signatures to qualify I-713 for the ballot.

For more information, call 206.526.0949 or e-mail bantraps@seanet.com or visit www.bancrueltraps.org.

Rebuttal of Statement Against

I-713 targets steel-jawed leghold traps and other inhumane and indiscriminate traps used for fur trapping and two poisons – nothing more, nothing less. I-713 opponents can't defend fur trapping so they mislead voters with outrageous and false claims. I-713 allows body-gripping traps to protect public health and safety, property, livestock, and endangered species. It doesn't ban trapping of moles, gophers, mice, or rats – animals not trapped for fur.

Ever seen a mole coat? Neither have we.

Voters Pamphlet Statement Prepared by:

SHIRLEY MUSE, Blue Mountain Audubon Society, Walla Walla; JOHN GRANDY, Ph.D., wildlife biologist, Humane Society of the United States; JACK LAUFER, wildlife biologist, Olympia; TIM COLEMAN, Kettle Range Conservation Group, hunter, veteran, Republic; KURT BEARDSLEE, Executive Director, Washington Trout, Duvall; DR. LARRY SIEGLER, veterinarian.

equipment and practices unlawful. (Washington Administrative Code 232-12-141). Violation of a trapping rule is a misdemeanor.

RCW 77.15.190 also makes it unlawful to set out traps capable of taking wild animals without possessing all licenses, tags or permits required by law, and requires identification tags on all fur-bearing animal traps. RCW 77.15.440 makes it unlawful to use traps on a game reserve. Property owners and tenants are authorized, in RCW 77.16.170, to remove traps left on their property.

RCW 16.52.190 makes it unlawful to poison animals, except that this law allows euthanizing by the owners of animals or by instruction of public authorities, and allows the reasonable use of rodent and pest poisons, insecticides, fungicides, and slug bait for their intended purposes. RCW 16.52.195 makes this practice a gross misdemeanor.

The effect of the proposed measure, if it becomes law:

This measure would make it a gross misdemeanor to use or authorize the use of any steel-jawed leghold trap, neck snare, or other body-gripping trap to capture any mammal for recreation or commerce in fur. "Body-gripping trap" would mean a trap that grips an animal's body or body part, and would include, among others, steel-jawed leghold traps, padded-jaw leghold traps, Conibear traps, neck snares, and nonstrangling foot snares. Cage and box traps, suitcase-

type live beaver traps, and common rat and mouse traps would not be considered "body-gripping traps."

It would be unlawful to buy, sell, barter, or otherwise exchange the raw fur of a mammal or a mammal that has been trapped in this state with a steel-jawed leghold trap or any other body-gripping trap. It would also be unlawful to use or authorize the use of body-gripping traps for any "animal," which is defined as any nonhuman vertebrate.

For limited purposes, the director of fish and wildlife could grant special permits for the use of Conibear traps in water, padded leghold traps, and nonstrangling type foot snares. The director could permit these types of traps to be used to protect people from threats to their health and safety, or after making a written finding that an animal problem could not be abated by the use of nonlethal control tools. The director could also issue permits for the conduct of legitimate wildlife research. The director could authorize the use of certain traps by state employees or agents to protect threatened or endangered species, if that is the only practical means. Even with any of the above permits, the trapper could not lawfully sell the fur of the animal trapped.

The measure would also make it a gross misdemeanor to poison or attempt to poison any animal using sodium fluoroacetate (also known as Compound 1080) or using sodium cyanide.

Violations could result in criminal penalties in addition to revocation of trapping licenses. Persons with multiple convictions would be ineligible to receive any more trapping licenses.

Statement Against

I-713 IS A FATALLY-FLAWED, POORLY WORDED, ILL-CONCEIVED MEASURE DRIVEN BY POLITICAL AGENDA. PLEASE VOTE NO.

If I-713 becomes law the result will have broad unintended ramifications, including hurting efforts to control pests, disease research and recover endangered species. Regulating wildlife by ballot creates unresponsive resource management systems that put people and property at risk. The issues are too complex, the risks too high. Science, not animal rights rhetoric, should control wildlife management.

I-713 IS TOO EXTREME AND UNREASONABLE. WE WON'T BE ABLE TO TRAP MOLES AND GOPHERS!

I-713 prevents homeowners from trapping moles or gophers and creates numerous other resource management problems that could require the taxpayers to be ultimately responsible for paying for costly wildlife-related damage claims and lawsuits. I-713 would create a new, expensive bureaucracy in state government. The measure allows for certain processes but does not say how, or who, pays. Costs could run into the millions.

SCIENCE SHOULD DECIDE OUR PUBLIC SAFETY POLICY. IS I-713 WORTH RISKING OUR EARLY WARNING SYSTEM?

I-713 places the Washington State Zoonotic Disease Surveillance Program administered by the Department of Health at risk – making it much harder to control bubonic plague, rabies, hantavirus and other animal borne pathogens dangerous to humans. I-713 makes it more difficult and much more expensive for state wildlife agencies to control predators and other nuisance animals. I-713 takes

wildlife management out of the hands of scientists and professional managers and puts it into the hands of untrained bureaucrats.

WHY BAN A POISON THAT IS ALREADY ILLEGAL? MISLEADING POLITICS MASQUERADING AS SOUND PUBLIC POLICY.

I-713 is misleading. It bans a poison that is already illegal and claims that environmental, disease control and other critical functions performed by trapping are protected. They are not. It is an emotional proposal driven by politics, not science, that contributes nothing to resolving the habitat and pollution problems impacting our wildlife.

For more information, call 360.379.1057 or visit www.ResponsibleWildlifeManagement.org.

Rebuttal of Statement For

I-713 does not protect landowners, ranchers or endangered species. If it did the Washington State Cattlemen and Sheep Producers Associations would not have joined the Wildlife Society – the best wildlife management scientific minds available – and over 200 other organizations and public opinion leaders in opposing I-713. Do not be misled by political rhetoric and misleading information. Please cast a common sense vote important to responsible wildlife management and just say "No" to I-713.

Voters Pamphlet Statement Prepared by:

ED OWENS, Chair, Citizens for Responsible Wildlife Management; JAMEY LAYMAN, Director, Inland Northwest Wildlife Council; TONY WELLS, Director, Citizens for Washington Wildlife; MRS. B.J. (BOBBIE) THORNILEY, Director, Washingtonians for Wildlife Conservation; LINDA JOHNSON, Government Relations, Washington Farm Bureau; MORGAN GRANT, President, Washington Game Warden Association.



COMPLETE TEXT OF Initiative Measure 713

AN ACT Relating to the humane treatment of wildlife and pets; adding new sections to chapter 77.15 RCW; creating a new section; and prescribing penalties.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. The people of the state of Washington find that this act is necessary in order to protect people and domestic pets and to protect and conserve wildlife from the dangers of cruel and indiscriminate steel-jawed leghold traps and poisons, and to encourage the use of humane methods of trapping when trapping is necessary to ensure public health and safety, protect livestock or property, safeguard threatened and endangered species, or conduct field research on wildlife.

NEW SECTION. Sec. 2. A new section is added to chapter 77.15 RCW to read as follows:

The definitions in this section apply throughout sections 3 through 5 of this act.

(1) "Animal" means any nonhuman vertebrate.

(2) "Body-gripping trap" means a trap that grips an animal's body or body part. Body-gripping trap includes, but is not limited to, steel-jawed leghold traps, padded-jaw leghold traps, Conibear traps, neck snares, and nonstrangling foot snares. Cage and box traps, suitcase-type live beaver traps, and common rat and mouse traps are not considered body-gripping traps.

(3) "Person" means a human being and, where appropriate, a public or private corporation, an unincorporated association, a partnership, a government, or a governmental instrumentality.

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

(5) "Animal problem" means any animal that threatens or damages timber or private property or threatens or injures livestock or any other domestic animal.

NEW SECTION. Sec. 3. A new section is added to chapter 77.15 RCW to read as follows:

(1) It is unlawful to use or authorize the use of any steel-jawed leghold trap, neck snare, or other body-gripping trap to capture any mammal for recreation or commerce in fur.

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

(3) It is unlawful to use or authorize the use of any steel-jawed leghold trap or any other body-gripping trap to cap-

ture any animal, except as provided in subsections (4) and (5) of this section.

(4) Nothing in this section prohibits the use of a Conibear trap in water, a padded leghold trap, or a nonstrangling type foot snare with a special permit granted by the director under (a) through (d) of this subsection. Issuance of the special permits shall be governed by rules adopted by the department and in accordance with the requirements of this section. Every person granted a special permit to use a trap or device listed in this subsection shall check the trap or device at least every twenty-four hours.

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

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

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

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

(5) Nothing in this section prohibits the United States fish and wildlife service, its employees or agents, from using a trap listed in subsection (4) of this section where the fish and wildlife service determines, in consultation with the director, that the use of such traps is necessary to protect species listed as threatened or endangered under the federal endangered species act (16 U.S.C. Sec. 1531 et seq.).

NEW SECTION. Sec. 4. A new section is added to chapter 77.15 RCW to read as follows:

It is unlawful to poison or attempt to poison any animal using sodium fluoroacetate, also known as compound 1080, or sodium cyanide.

NEW SECTION. Sec. 5. A new section is added to chapter 77.15 RCW to read as follows:

Any person who violates section 3 or 4 of this act is guilty of a gross misdemeanor. In addition to appropriate criminal



COMPLETE TEXT OF Initiative Measure 713 (cont.)

penalties, the director shall revoke the trapping license of any person convicted of a violation of section 3 or 4 of this act. The director shall not issue the violator a trapping license for a period of five years following the revocation. Following a subsequent conviction for a violation of section 3 or 4 of this act by the same person, the director shall not issue a trapping license to the person at any time.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.



COMPLETE TEXT OF Initiative Measure 722

AN ACT Relating to limiting taxes; amending RCW 84.55.0101; reenacting and amending RCW 84.55.005; adding a new section to chapter 84.55; adding new sections to chapter 84.36 RCW; creating a new section; and repealing RCW 84.55.092.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

LIMITING TAXES BY INVALIDATING 1999 TAX INCREASES IMPOSED WITHOUT VOTER APPROVAL

NEW SECTION. Sec. 1. A new section is added to chapter 84.55 RCW to read as follows:

(1) Any tax increase adopted by the state from July 2, 1999, through December 31, 1999, is null and void and of no effect. All taxes collected as a result of such tax increases shall be refunded to the taxpayer.

(2) For the purposes of this section, "tax" includes, but is not necessarily limited to, sales and use taxes; property taxes; business and occupation taxes; fuel taxes; impact fees; license fees; permit fees; water, sewer, and other utility charges, including taxes, rates, and hook-up fees; and any other excise tax, fee, or monetary charge imposed by the state.

(3) For the purposes of this section, "tax" does not include:

- (a) Higher education tuition;
- (b) Civil and criminal fines and other charges collected in cases of restitution or violation of law or contract; and
- (c) The price of goods offered for sale by the state.

(4) For the purposes of this section, "tax increase" includes, but is not necessarily limited to, a new tax, a monetary increase in an existing tax, a tax rate increase, an expansion in the legal definition of a tax base, and an extension of an expiring tax.

(5) For the purposes of this section, "tax increase" does not include taxes approved by a vote of the people.

(6) For the purposes of this section, "state" includes, but is not necessarily limited to, the state itself and all its departments and agencies, any city, county, special district, and other political subdivision or governmental instrumentality of or within the state.

LIMITING TAXES BY EXEMPTING VEHICLES FROM PROPERTY TAXES

NEW SECTION. Sec. 2. A new section is added to chapter 84.36 RCW to read as follows:

(1) Vehicles are exempted from property taxes as long as the retail sales tax of chapter 82.08 RCW applies to vehicles.

(2) For purposes of this section, "vehicles" include all vehicles licensed under chapter 46.16 RCW including, but not necessarily limited to, personal and business owned cars, trucks, sport utility vehicles, motorcycles, motor homes, campers, travel trailers, and mobile homes held as inventory.

(3) The purpose of this section is to exempt from property taxes all vehicles previously exempted from property taxes prior to the adoption by the people of Initiative Measure No. 695, the \$30 License Tab Initiative.

LIMITING TAXES BY EXEMPTING INCREASES IN PROPERTY TAX VALUATIONS ABOVE 2% PER YEAR

NEW SECTION. Sec. 3. A new section is added to chapter 84.36 RCW to read as follows:

(1) As long as the sale of property is subject to the real estate excise tax in chapter 82.46 RCW and unless otherwise exempt from property taxes, a person shall be exempt from any legal obligation to pay the portion of property taxes attributable to any increase in value of property (other than for new construction or manufacture) over its 1999 valuation level, plus the lesser of 2% per year or inflation.

(2) As long as construction materials are subject to the retail sales tax of chapter 82.08 RCW, a person shall be exempt from any legal obligation to pay the portion of property taxes on newly constructed or manufactured property after 1999 over the property tax imposed on the owner of a comparable property constructed as of 1999, plus the lesser of 2% per year or inflation.

(3) For purposes of this section:

- (a) "Property" means real and personal property;
- (b) "1999 valuation level" means the correct valuation shown on the property tax statement in effect on January 1, 1999;
- (c) "Inflation" means the percentage change in the implicit price deflator for personal consumption expenditures for the United States as published for the most recent twelve-month period by the bureau of economic analysis of the federal department of commerce in September of the year before the taxes are payable;

(d) "New construction or manufacture" does not include reconstruction after fire or other natural disaster and does not include maintenance or replacement of existing components, such as roofs, siding, windows, doors, and parts of equipment; and