

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION  
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by February 27, 2002. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, Washington 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested, information about the Attorney General's Opinion process, information on how to submit your comments, and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s):

**02-01-02      Request by Hans Dunshee  
State Representative, 39th District**

1. Section 3(3) of Initiative 713 makes unlawful the use of "any steel-jawed leghold trap or any other body-gripping trap to capture any animal". Section 2 of the Initiative defines body-gripping trap as "a trap that grips an animal's body or body part." (a). Does the definition of "body-gripping trap" provided in I-713 include mole traps that utilize a spring mechanism to pierce, and not grip, the mole's body? (b). If no, does any other section of I-713 relate to the use of a body-piercing mole trap? 2. Section 2(1) of I-713 makes it unlawful to trap or capture any mammal for recreation or commerce in fur. Section 2(3) makes it unlawful to use certain traps to capture any animal. Moles are not trapped for recreation or commerce in fur; however, moles are animals. (a). Do these two provisions create internal inconsistencies within I-713 as they relate to the trapping of moles? (b). If yes, does I-713 ban the trapping of moles by any method? 3. Section 1 of I-713 is the intent section. In this section, the people of Washington have said that it was their intent to protect people, pets and wildlife "from the dangers of cruel and indiscriminate steel-jawed leghold traps and poisons". (a). Given the intent of the people, was I-713 intended to make the trapping of moles unlawful? (b). If yes, was I-713 intended to make the trapping of moles using body-piercing traps unlawful?

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