

HOUSE BILL ANALYSIS

Brief Description: Allowing for the hunting of black bears with bait and dogs, and the hunting of cougars with dogs. **HOUSE BILL 1012**

Committee: Natural Resources

Sponsor(s): Representatives Sump, Doumit, Hatfield, Eickmeyer, G. Chandler, McMorris, Pennington, Linville, Erickson, Koster, Bush, Mulliken, Kessler, Mielke, Grant and Schoesler

Background: Prior to 1996 the Department of Fish and Wildlife allowed hunters to use bait in attracting black bear and to use dogs in hunting both black bear and cougar. The department regulated these activities through administrative rule, under its authority to implement reasonable time, place, and manner restrictions on hunting activities. These regulations included limitations on type and placement of bait, as well as a limitations on use of dogs.

In the general election of November 5, 1996, 63 percent of the voters in the state of Washington approved Initiative 655, which banned the use of bait to attract black bears and the use of hounds to hunt bear, cougar, bobcat, or lynx. These provisions became effective December 5, 1996, and were codified at RCW 77.16.360.

Several other western states including Oregon, Colorado, and California have either banned or heavily regulated the use of dogs and bait to hunt black bear and cougar.

Summary: Initiative 655 and RCW 77.16.360 are repealed. Black bear may be hunted using bait, and both black bear and cougar may be hunted using dogs.

Bear

A pursuit-only season is allowed. Hunters may pursue or tree a black bear, with a valid hound stamp and hunting license issued by the Washington Department of Fish and Wildlife, during established pursuit-only seasons. A bear tag is not required to engage in the pursuit-only season. Bears being pursued or treed during a pursuit-only season, may not be killed or injured.

Hunting of black bears with bait or dogs is allowed during established seasons. Bait is defined as any substance placed with the intent of attracting bear, but is limited to plant and plant parts including fruit, inedible parts of fish and animals, carcasses of furbearing animals with the skin removed, carcasses of other wildlife, and carcasses of domestic livestock. All other forms of bait are illegal. Bait may not contain paper, cardboard, plastic, glass, aluminum, tin, steel, styrofoam, and other packaging materials.

Placement of bait is restricted by location and time. Bait may not be set in an area until five days prior to bear harvest season. Bait may not be placed within 50 yards of water bodies, within 200 yards of an open road or maintained trail, within one-half mile of a publicly designated administrative site, campground, picnic area, landfill, dump site, or within one-quarter mile of any permanent residence or seasonal dwelling. Private landowners may place bait within one-quarter mile of their own residence or seasonal dwelling.

Bait containers are also regulated. Containers must be located within an excavated pit or within a confinement structure such as a rock pile, stump, or log cubbie. Containers must be securely fastened. Man-made containment and fastening devices must be removed from the area within 48 hours of the close of the bear season. Hunters must affix their bear tag number at their bear baiting site. Such a tag must be placed in a manner so that it remains conspicuous and legible for the entire bear season.

The department may restrict or prohibit baiting and the use of hounds to hunt black bear in established grizzly bear recovery zones.

Cougar

Dogs may be used to pursue cougar during established hunting seasons. A hunting license and hound permit are required to do so.

Appropriation: None.

Fiscal Note: Requested January 13, 1999.

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

Rulemaking Authority: Washington Department of Fish and Wildlife.