

# HOUSE BILL REPORT

## HB 1012

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**As Reported By House Committee On:**  
Natural Resources

**Title:** An act relating to methods of taking cougar and black bear.

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

**Sponsors:** Representatives Sump, Doumit, Hatfield, Eickmeyer, G. Chandler, McMorris, Pennington, Linville, Ericksen, Koster, Bush, Mulliken, Kessler, Mielke, Grant and Schoesler.

**Brief History:**

**Committee Activity:**

Natural Resources: 1/20/99, 2/16/99 [DPS].

**Brief Summary of Substitute Bill**

- Requires that the Fish and Wildlife Commission use dogs and bait in hunting black bear and cougar, and dogs in hunting cougar, only to address a specific population or public safety need, and only within selected areas in a game management unit.
- Requires that before the Fish and Wildlife Commission exercises such authority it determine that no practical alternative to the use of bait or dogs exists, and adopt rules for the use of dogs or bait.

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### HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Buck, Republican Co-Chair; Regala, Democratic Co-Chair; Anderson, Democratic Vice Chair; Sump, Republican Vice Chair; G. Chandler; Clements; Eickmeyer; Ericksen; Pennington; Rockefeller and Stensen.

**Staff:** Josh Weiss (786-7129).

**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 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.

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**Summary of Substitute Bill:**

The substitute bill amends the existing state statute which regulates the use of dogs to hunt bear and cougar and the use of bait to hunt bear. The Fish and Wildlife Commission is allowed to authorize the use of bait and dogs within selected areas of game management units to address a specific bear or cougar population or public safety need. Before taking such actions, the commission must make a determination that no other practical alternative to the use of dogs or bait exists. In addition, the commission is required to adopt rules describing the conditions in which bait and dogs may be used. Such conditions include confirmed cougar and black bear human safety incidents, confirmed cougar and black bear livestock and pet depredations, and the number of cougar and black bear capture attempts and relocations.

The substitute bill expands the director of Fish and Wildlife's existing authority to remove or kill wildlife that is destroying property, or that must be removed for management or research reasons. In these situations, the director may utilize dogs or bait in removing or killing bears or cougars.

**Substitute Bill Compared to Original Bill:** The substitute bill modifies but does not explicitly repeal Initiative 655.

The substitute bill does not provide for a dog or bait hunting season on cougar or bear, nor for a pursuit only bear season. The substitute bill does allow the Fish and Wildlife Commission to authorize the use of bait and dogs within selected areas of game management units to address a specific bear or cougar population or public safety need.

Provisions relating to bait, including the definition of bait, are not provided in the substitute bill. The department is not directed to restrict baiting and the use of hounds to hunt black bear in established grizzly bear recovery zones, which would have been required if a general hunting season were allowed under the original bill.

The substitute bill provides an emergency clause.

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**Appropriation:** None.

**Fiscal Note:** Available

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** (Original bill) There are more cougar sightings across the state. Bears are seen in downtown Covington. This was not the situation before Initiative 655 passed. Hounds are necessary because they instill fear in cougar. The Department of Fish and Wildlife has the authority to contract with hound hunters to hunt problem animals and control populations, but dogs need practice hunting or they will lose their ability. In addition, it isn't fair to ask these individuals to provide this service for free. The Tacoma News Tribune initially supported Initiative 655, but has subsequently reversed itself. It isn't likely that we overturn the action of the people. However, a 5-year-old child was mauled in my district, and a hunter was mauled in Packwood since then.

Things have changed since the Initiative passed, and this measure is now needed. A cougar attacked our dog on our porch step and did not run away until beat with a shoe. We are seeing more cats in our community, on our doorsteps. We have grandchildren and are worried for their safety. I see cougar and bear from my home, and I haven't had many problems. I have hunted with hounds. Since the passage of Initiative 655 the mountain lions aren't scared; they are losing their fear of dogs and humans. The only deterrent to attacks is to hunt them. Not all animals that are pursued are killed, many are photographed.

Depredation permits issued by the department require hound hunters to donate their time. There are cougar in Aberdeen which are killing house cats, and have killed deer near the town's baseball field. The population is expanding. Enforcement officers should be spending their time catching poachers, not on this. There are sightings in towns like Sumner. I have lived in Bonney Lake since 1969 and this is a new problem. The number of cougars killed by the department and hunters has increased. Relocations have increased. There was a 197 percent increase in complaints in 1996, a 230 percent increase in 1997, and a 396 percent increase in 1998. An attack while hunting near Packwood left me dazed and lost in the woods for five days. There has been an obvious increase in endangerment lately. Hound hunting is selective, and can focus on younger

animals that cause problems. Bear cubs that are orphaned and rehabilitated end up in downtown areas. Cats aren't afraid anymore. We wasted public resources searching for my nephew who was lost in the woods for five days because of a cougar attack. We have been harassed at our house in Carnation by a cougar that kept coming back, and was not scared.

(With concerns) The Washington Department of Fish and Wildlife supports additional tools to protect the citizens of the state from problem wildlife, however, this bill is overly broad. The department would like the ability to use tightly constrained licensed hunters in focused geographic areas. This method would be selectively applied on an as-needed basis. The department uses population management including hunting seasons, response to damage complaints, and education to address this issue. The use of hounds would address the increased complaints, but is only one tool that should be used. A selective harvest would reduce complaints and reduce damage. Hound hunting is not the only answer. The department needs to provide additional hunting opportunities, greater field response ability, and an increase in education to address the issue.

**Testimony Against:** (Original bill) Many more people are moving into cougar and bear habitat, and increased sightings are a result of this. Bear and cougar are indicator species for the overall health of the ecosystem. The Washington Department of Fish and Wildlife has been forced to cut its enforcement program significantly in the last several years, and cannot address these issues. This should be reversed. Many of these complaints are from ranchers and pet owners who aren't properly taking care of their animals.

Department complaint forms aren't asking questions which show what the real reasons for the increased sightings are. The number of these animals killed has gone up in the last two years. There are remedies available in the current statute, and the department can kill problem wildlife. There are factors besides hunting that explain the increased sightings. Initiative 655 had 63 percent of the vote. We are taking over bear and cougar habitat and this explains the increased problems. This would allow the use of cruel hunting methods. My dad was a hunting guide and he taught me that hunting with hounds is unsportsmanlike. Many hunters agree with me. The program has not had the money or support necessary since the passage of Initiative 655 to make it work adequately or to judge its effects.

This is a result of media hysteria, and habitat encroachment. An increase in sports hunting will not address the problem with attacks. Populations compensate for increased hunting by having larger litters. Hunters take larger males, which are not the individuals causing problems. There is no scientific support showing that cats actually develop a fear. Increased sightings are related to media coverage. The answer is to adequately fund the Washington Department of Fish and Wildlife. People are claiming that this is a public safety issue, yet thousands of Americans die each year from tainted meat. This is not a public safety issue. People want to kill. There has been too much media hype

about this; we need perspective in our society, and the media doesn't help. More people will die from Coke machines falling on them than from cougar or bear attacks. Hunting with dogs is not the solution, education and proper media coverage helps. The Washington Department of Fish and Wildlife should objectively collect data on these populations. The type of hunting we are talking about is cruelty to animals.

**Testified:** (In support) Senator Pam Roach; Representative Bob Sump (prime sponsor); Randy Sage; Suzie Sage; Joel Kretz; Allan Hollingsworth; David Reynard; Bill White; and Jeanne Drew (citizens). Al Woodbridge, Western Fish and Wildlife Federation; B. J. Thomley, Hunters Heritage Council; and Wilbur Barker, Tacoma-Lake City Sportsman's Club.

(With concerns) Bruce Bjork and Steve Pozzanghera, Washington Department of Fish and Wildlife.

(Opposed) Claudine Erlandson and Jim Reynolds (citizens); Joe Haptac, Northwest Animal Rights Network; Kay Farrell, EARS; and Will Anderson, PAWS.