

HOUSE BILL ANALYSIS

ESSB 5001

Title: An act relating to hunting cougar.

Brief Description: Authorizing hunting of cougar with the aid of dogs.

Sponsors: Senate Committee on Natural Resources, Parks & Recreation (originally sponsored by Senators Morton, Deccio, Honeyford, T. Sheldon, Swecker, Hargrove, Rossi, Hochstatter, Oke and Rasmussen).

HOUSE COMMITTEE ON NATURAL RESOURCES

Meeting Date: February 22, 2000.

Bill Analysis Prepared by: Josh Weiss, Counsel (786-7129)

Background:

Prior to 1996 the Department of Fish and Wildlife allowed hunters to use dogs in hunting cougar. The department regulated this activity through administrative rule, under its authority to implement reasonable time, place, and manner restrictions on hunting activities. These regulations included limitations on the 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 regulate the use of dogs to hunt cougar. Since the initiative was enacted, cougar populations, cougar sightings and incidents of cougar damage to livestock have increased. Cougars have also attacked humans since the passage of the initiative.

Current law allows employees of county, state, and federal agencies to use dogs as an aid to killing cougars for the purpose of protecting livestock, domestic animals, private property, or public safety. In addition, the director of the Department of Fish and Wildlife may issue a permit to a public agency, university, or scientific or educational institution for the use of dogs to pursue cougar for scientific purposes.

The department may authorize a special hunt to reduce the potential for property damage, but this hunt may not involve the use of dogs to hunt cougar. In addition,

an owner, an owner's immediate family members or employees, and tenants of real property may kill wild animals (including cougar) that are damaging crops or domestic animals without a license from the department. However, such persons may not use dogs to pursue cougars in taking any such actions.

The director of the Department of Fish and Wildlife may also allow the removal or killing of cougars or bears that are destroying property, or for wildlife management or research. The department may not use dogs or bait in taking these actions.

Summary of Bill:

The bill allows the use of dogs to hunt cougars in certain circumstances. The Fish and Wildlife Commission shall authorize the use of dogs to hunt cougar within a game management unit to address specific population or public safety needs. Before taking such actions, the commission must make a determination that no other practical alternative to the use of dogs exists. In addition, the commission is first required to adopt rules describing the conditions in which dogs may be used. Conditions that may warrant the use of dogs include confirmed cougar human safety incidents, confirmed cougar livestock and pet depredations, and the number of cougar capture attempts and relocations.

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

In addition the director's authority to issue a permit to a public agency, university, or scientific or educational institution for the use of dogs is expanded to include the capture and relocation, or removal of cougars.

Appropriation: None.

Fiscal Note: Available.

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

Senate Passage: 2/11/00, 31-13.