

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5001

Chapter 248, Laws of 2000

56th Legislature
2000 Regular Session

COUGAR HUNTING

EFFECTIVE DATE: 3/31/00

Passed by the Senate March 7, 2000
YEAS 35 NAYS 10

BRAD OWEN
President of the Senate

Passed by the House March 3, 2000
YEAS 62 NAYS 36

CLYDE BALLARD
**Speaker of the
House of Representatives**

FRANK CHOPP
**Speaker of the
House of Representatives**

Approved March 31, 2000

GARY F. LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5001** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

March 31, 2000 - 3:46 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5001

AS AMENDED BY THE HOUSE

Passed Legislature - 2000 Regular Session

State of Washington 56th Legislature 1999 Regular Session

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

Read first time 01/28/1999.

1 AN ACT Relating to hunting cougar; amending RCW 77.16.360; and
2 declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 77.16.360 and 1997 c 1 s 1 are each amended to read as
5 follows:

6 (1) Notwithstanding the provisions of RCW 77.12.240 (~~and~~
7 ~~77.12.265~~), 77.36.020, 77.36.030, or any other provisions of law, it
8 is unlawful to take, hunt, or attract black bear with the aid of bait.

9 (a) Nothing in this subsection shall be construed to prohibit the
10 killing of black bear with the aid of bait by employees or agents of
11 county, state, or federal agencies while acting in their official
12 capacities for the purpose of protecting livestock, domestic animals,
13 private property, or the public safety.

14 (b) Nothing in this subsection shall be construed to prevent the
15 establishment and operation of feeding stations for black bear in order
16 to prevent damage to commercial timberland.

17 (c) Nothing in this subsection shall be construed to prohibit the
18 director from issuing a permit or memorandum of understanding to a

1 public agency, university, or scientific or educational institution for
2 the use of bait to attract black bear for scientific purposes.

3 (d) As used in this subsection, "bait" means a substance placed,
4 exposed, deposited, distributed, scattered, or otherwise used for the
5 purpose of attracting black bears to an area where one or more persons
6 hunt or intend to hunt them.

7 (2) Notwithstanding RCW 77.12.240, 77.36.020, 77.36.030, or any
8 other provisions of law, it is unlawful to hunt or pursue black bear,
9 cougar, bobcat, or lynx with the aid of a dog or dogs.

10 (a) Nothing in this subsection shall be construed to prohibit the
11 killing of black bear, cougar, bobcat, or lynx with the aid of a dog or
12 dogs by employees or agents of county, state, or federal agencies while
13 acting in their official capacities for the purpose of protecting
14 livestock, domestic animals, private property, or the public safety.
15 A dog or dogs may be used by the owner or tenant of real property
16 consistent with a permit issued and conditioned by the director (~~under~~
17 ~~RCW 77.12.265~~)).

18 (b) Nothing in this subsection shall be construed to prohibit the
19 director from issuing a permit or memorandum of understanding to a
20 public agency, university, or scientific or educational institution for
21 the use of a dog or dogs for the pursuit, capture and relocation, of
22 black bear, cougar, bobcat, or lynx for scientific purposes.

23 (c) Nothing in this subsection shall be construed to prohibit the
24 director from issuing a permit or memorandum of understanding to a
25 public agency, university, or scientific or educational institution for
26 the use of a dog or dogs for the killing of black bear, cougar, or
27 bobcat, for the protection of a state and/or federally listed
28 threatened or endangered species.

29 (3) Notwithstanding subsection (2) of this section, the commission
30 shall authorize the use of dogs only in selected areas within a game
31 management unit to address a public safety need presented by one or
32 more cougar. This authority may only be exercised after the commission
33 has determined that no other practical alternative to the use of dogs
34 exists, and after the commission has adopted rules describing the
35 conditions in which dogs may be used. Conditions that may warrant the
36 use of dogs within a game management unit include, but are not limited
37 to, confirmed cougar/human safety incidents, confirmed cougar/livestock
38 and cougar/pet depredations, and the number of cougar capture attempts
39 and relocations.

1 (4) A person who violates subsection (1) or (2) of this section is
2 guilty of a gross misdemeanor. In addition to appropriate criminal
3 penalties, the director shall revoke the hunting license of a person
4 who violates subsection (1) or (2) of this section and a hunting
5 license shall not be issued for a period of five years following the
6 revocation. Following a subsequent violation of subsection (1) or (2)
7 of this section by the same person, a hunting license shall not be
8 issued to the person at any time.

9 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
10 preservation of the public peace, health, or safety, or support of the
11 state government and its existing public institutions, and takes effect
12 immediately.

Passed the Senate March 7, 2000.

Passed the House March 3, 2000.

Approved by the Governor March 31, 2000.

Filed in Office of Secretary of State March 31, 2000.