
ENGROSSED SUBSTITUTE SENATE BILL 5001

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; amending
2 RCW 77.16.360; and 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 77.12.265~~
7 ~~or other provisions of law~~) 77.36.020 or 77.36.030, it is unlawful to
8 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 or any other provisions of~~
8 ~~law))~~ 77.36.020 or 77.36.030, it is unlawful to hunt or pursue black
9 bear, 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, or
22 removal of black bear, cougar, bobcat, or lynx for scientific purposes.

23 (3) Notwithstanding subsections (1) and (2) of this section:

24 (a) The commission shall authorize the use of dogs only within a
25 game management unit to address a specific cougar population or public
26 safety need. This authority may only be exercised after the commission
27 has determined that no other practical alternative to the use of dogs
28 exists, and after the commission has adopted rules describing the
29 conditions in which dogs may be used. Conditions that may warrant the
30 use of dogs within a game management unit include, but are not limited
31 to, confirmed cougar/human safety incidents, confirmed cougar/livestock
32 and cougar/pet depredations, and the number of cougar capture attempts
33 and relocations.

34 (b) The director may authorize the use of dogs or bait with a
35 permit issued under RCW 77.12.240.

36 (4) A person who violates subsection (1) or (2) of this section is
37 guilty of a gross misdemeanor. In addition to appropriate criminal
38 penalties, the director shall revoke the hunting license of a person
39 who violates subsection (1) or (2) of this section and a hunting

1 license shall not be issued for a period of five years following the
2 revocation. Following a subsequent violation of subsection (1) or (2)
3 of this section by the same person, a hunting license shall not be
4 issued to the person at any time.

5 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and takes effect
8 immediately.

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