

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 6118

Chapter 264, Laws of 2004
(partial veto)

58th Legislature
2004 Regular Session

COUGAR CONTROL

EFFECTIVE DATE: 6/10/04

Passed by the Senate March 8, 2004
YEAS 34 NAYS 14

BRAD OWEN

President of the Senate

Passed by the House March 4, 2004
YEAS 90 NAYS 5

FRANK CHOPP

Speaker of the House of Representatives

Approved March 31, 2004, with the
exception of section 2, which is vetoed.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Milton H. Doumit, Jr.,
Secretary of the Senate of the
State of Washington, do hereby
certify that the attached is
SUBSTITUTE SENATE BILL 6118 as
passed by the Senate and the House
of Representatives on the dates
hereon set forth.

MILTON H. DOUMIT JR.

Secretary

FILED

March 31, 2004 - 3:14 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6118

AS AMENDED BY THE HOUSE

Passed Legislature - 2004 Regular Session

State of Washington 58th Legislature 2004 Regular Session

By Senate Committee on Parks, Fish & Wildlife (originally sponsored by Senators Morton, Stevens, Deccio, Mulliken, Roach and Swecker)

READ FIRST TIME 02/05/04.

1 AN ACT Relating to a pilot program for cougar control; and creating
2 new sections.

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

4 NEW SECTION. **Sec. 1.** (1) The department of fish and wildlife, in
5 cooperation and collaboration with the county legislative authorities
6 of Ferry, Stevens, Pend Oreille, Chelan, and Okanogan counties, shall
7 recommend rules to establish a three-year pilot program within select
8 game management units of these counties, to pursue or kill cougars with
9 the aid of dogs. A pursuit season and a kill season with the aid of
10 dogs must be established through the fish and wildlife commission's
11 rule-making process, utilizing local dangerous wildlife task teams
12 comprised of the two collaborating authorities. The two collaborating
13 authorities shall also develop a more effective and accurate dangerous
14 wildlife reporting system to ensure a timely response. The pilot
15 program's primary goals are to provide for public safety, to protect
16 property, and to assess cougar populations.

17 (2) Any rules adopted by the fish and wildlife commission to
18 establish a pilot project allowing for the pursuit or hunting of

1 cougars with the aid of dogs under this section only must ensure that
2 all pursuits or hunts are:

3 (a) Designed to protect public safety or property;

4 (b) Reflective of the most current cougar population data;

5 (c) Designed to generate data that is necessary for the department
6 to satisfy the reporting requirements of section 3 of this act; and

7 (d) Consistent with any applicable recommendations emerging from
8 research on cougar population dynamics in a multiprey environment
9 conducted by Washington State University's department of natural
10 resource sciences that was funded in whole or in part by the department
11 of fish and wildlife.

12 ***NEW SECTION. Sec. 2. A county legislative authority may request**
13 ***inclusion in the pilot project authorized by this act after taking the***
14 ***following actions:***

15 (1) ***Adopting a resolution that requests inclusion in the pilot***
16 ***project;***

17 (2) ***Documenting the need to participate in the pilot program by***
18 ***identifying the number of cougar/human encounters and livestock and pet***
19 ***depredations; and***

20 (3) ***Demonstrating that existing cougar depredation permits, public***
21 ***safety cougar hunts, or other existing wildlife management tools have***
22 ***not been sufficient to deal with cougar incidents in the county.***

*Sec. 2 was vetoed. See message at end of chapter.

23 **NEW SECTION. Sec. 3.** After the culmination of the pilot project
24 authorized by this section, the department of fish and wildlife must
25 report to the fish and wildlife commission and the appropriate
26 committees of the legislature:

27 (1) Recommendations for the development of a more effective and
28 accurate dangerous wildlife reporting system, a summary of how the
29 pilot project aided the collection of data useful in making future
30 wildlife management decisions, and a recommendation as to whether the
31 pilot project would serve as a model for effective cougar management
32 into the future. The report required by this subsection must be
33 completed in collaboration with the counties choosing to participate in
34 the pilot program.

35 (2) Recommendations for a new and modern cougar management system
36 that focuses on altering the behavior of wild cougars, and not solely

1 on controlling cougar population levels. These recommendations must
2 include at a minimum suggestions for wildlife management techniques
3 aimed at modifying cougar behavior, the identification of nonlethal
4 ways to minimize interactions between cougars and humans, and an
5 analysis of opportunities for minimizing interactions between cougars
6 and humans by controlling the abundance and location of cougar prey
7 species.

Passed by the Senate March 8, 2004.

Passed by the House March 4, 2004.

Approved by the Governor March 31, 2004, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State March 31, 2004.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 2,
Substitute Senate Bill No. 6118 entitled:

"AN ACT Relating to a pilot program for cougar control;"

This bill requires the Department of Fish and Wildlife (DFW) to recommend rules to establish a three-year pilot program to allow for the pursuit and killing of cougars with the aid of dogs. The pilot program is limited to the counties of Ferry, Stevens, Pend Oreille, Chelan, and Okanogan. The bill also requires that these rules ensure that the hunts are designed to protect public safety, reflect cougar population data, and are consistent with recommendations on cougar population dynamics currently under development at Washington State University.

Section 2 of the bill would have allowed other counties to participate in the pilot project. This section expands the pilot's purposes beyond the limited geographic scope of the underlying bill and undermines the thoughtful research purposes of the pilot approach. As stated in section 3 of the bill, DFW is to follow the pilot with "a recommendation as to whether the pilot project would serve as a model for effective cougar management into the future." The pilot should be allowed to run its course, and future cougar management decisions should be based on the results and recommendations of this pilot project. Should unique human-cougar interactions arise in counties not subject to the pilot, the Commission already has some authority to authorize the use of dogs to combat the problem.

For these reasons, I have vetoed section 2 of Substitute Senate Bill No. 6118.

With the exception of section 2, Substitute Senate Bill No. 6118 is approved."