
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-2669.1/99

ATTY/TYPIST: ML:rmh

BRIEF TITLE:

2 SSB 5001 - H COMM AMD
3 By Committee on Appropriations

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. Sec. 1. The legislature finds that increased human
8 population has resulted in growth and development into areas previously
9 wild in nature. This growth is leading to an inevitable interaction
10 between wild animals and humans. These interactions may threaten
11 homes, property, pets, and livestock, and may even be life threatening.

12 The legislature further finds that the population levels of both
13 black bear and cougar have experienced steady growth in recent years.
14 These populations, though fluctuating, have the potential to reach
15 unmanageable levels.

16 **Sec. 2.** RCW 77.16.360 and 1997 c 1 s 1 are each amended to read as
17 follows:

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

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

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

29 (c) Nothing in this subsection shall be construed to prohibit the
30 director from issuing a permit or memorandum of understanding to a
31 public agency, university, or scientific or educational institution for
32 the use of bait to attract black bear for scientific purposes.

33 (d) As used in this subsection, "bait" means a substance placed,
34 exposed, deposited, distributed, scattered, or otherwise used for the

1 purpose of attracting black bears to an area where one or more persons
2 hunt or intend to hunt them.

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

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

14 (b) Nothing in this subsection shall be construed to prohibit the
15 director from issuing a permit or memorandum of understanding to a
16 public agency, university, or scientific or educational institution for
17 the use of a dog or dogs for the pursuit of black bear, cougar, bobcat,
18 or lynx for scientific purposes.

19 (3) Notwithstanding subsection (2) of this section:

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

30 (b) The director may authorize the use of dogs with a permit issued
31 pursuant to RCW 77.12.240.

32 (4) A person who violates subsection (1) or (2) of this section is
33 guilty of a gross misdemeanor. In addition to appropriate criminal
34 penalties, the director shall revoke the hunting license of a person
35 who violates subsection (1) or (2) of this section and a hunting
36 license shall not be issued for a period of five years following the
37 revocation. Following a subsequent violation of subsection (1) or (2)
38 of this section by the same person, a hunting license shall not be
39 issued to the person at any time."

1 Correct the title.

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