

2 **ESSB 5001** - H COMM AMD **ADOPTED 3-3-00**
3 By Committee on Natural Resources

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

7 "Sec. 1. RCW 77.16.360 and 1997 c 1 s 1 are each amended to read
8 as follows:

9 (1) Notwithstanding the provisions of RCW 77.12.240 (~~and~~
10 ~~77.12.265~~), 77.36.020, 77.36.030, or any other provisions of law, it
11 is unlawful to take, hunt, or attract black bear with the aid of bait.

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

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

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

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

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

31 (a) Nothing in this subsection shall be construed to prohibit the
32 killing of black bear, cougar, bobcat, or lynx with the aid of a dog or
33 dogs by employees or agents of county, state, or federal agencies while
34 acting in their official capacities for the purpose of protecting
35 livestock, domestic animals, private property, or the public safety.
36 A dog or dogs may be used by the owner or tenant of real property

1 consistent with a permit issued and conditioned by the director ((under
2 RCW ~~77.12.265~~)).

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

8 (3) Notwithstanding subsections (1) and (2) of this section, the
9 commission shall authorize the use of dogs only in selected areas
10 within a game management unit to address a specific cougar population
11 or public safety need. This authority may only be exercised after the
12 commission has determined that no other practical alternative to the
13 use of dogs exists, and after the commission has adopted rules
14 describing the conditions in which dogs may be used. Conditions that
15 may warrant the use of dogs within a game management unit include, but
16 are not limited to, confirmed cougar/human safety incidents, confirmed
17 cougar/livestock and cougar/pet depredations, and the number of cougar
18 capture attempts and relocations.

19 (4) A person who violates subsection (1) or (2) of this section is
20 guilty of a gross misdemeanor. In addition to appropriate criminal
21 penalties, the director shall revoke the hunting license of a person
22 who violates subsection (1) or (2) of this section and a hunting
23 license shall not be issued for a period of five years following the
24 revocation. Following a subsequent violation of subsection (1) or (2)
25 of this section by the same person, a hunting license shall not be
26 issued to the person at any time.

27 NEW SECTION. Sec. 2. This act is necessary for the immediate
28 preservation of the public peace, health, or safety, or support of the
29 state government and its existing public institutions, and takes effect
30 immediately."

31 Correct the title.

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