

2 SSB 5001 - S AMD - 050
3 By Senator Morton

4 ADOPTED 2/11/00

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 77.12.265~~
10 ~~or other provisions of law~~) 77.36.020 or 77.36.030, it is unlawful to
11 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 or any other provisions of~~
29 ~~law~~) 77.36.020 or 77.36.030, it is unlawful to hunt or pursue black
30 bear, 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:

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

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

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

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

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4 On page 1, line 1 of the title, after "cougar;" strike the
5 remainder of the title and insert "amending RCW 77.16.360; and
6 declaring an emergency."

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