

2 SSB 5001 - S AMD - 028  
3 By Senator Morton

4 PULLED 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 in selected  
10 areas within a game management unit to address a specific cougar  
11 population or public safety need. This authority may only be exercised  
12 after the commission has determined that no other practical alternative  
13 to the 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 (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 **SSB 5001** - S AMD - 028

30 By Senator Morton

31 PULLED 2/11/00

32 On page 1, line 1 of the title, after "cougar;" strike the  
33 remainder of the title and insert "and amending RCW 77.16.360."

--- END ---