
SENATE BILL 5120

State of Washington

56th Legislature

1999 Regular Session

By Senator Hargrove

Read first time 01/13/1999. Referred to Committee on Natural Resources, Parks & Recreation.

1 AN ACT Relating to methods of taking cougar and black bear; adding
2 new sections to chapter 77.12 RCW; creating a new section; repealing
3 RCW 77.16.360; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The bear and cougar populations in the state
6 of Washington have dramatically increased over the years. Human
7 encounters with bear and cougar are becoming more common, as are
8 incidents of humans being stalked or attacked by cougars. It is the
9 intent of the legislature to provide a higher level of protection for
10 the citizens of the state of Washington from attacks by bears and
11 cougars. Controlling the population of these animals is the safest,
12 most effective means to increase public safety. Due to the elusive
13 nature of these animals, the legislature recognizes that the safest,
14 most effective means of controlling the population of cougars and black
15 bears is to allow the hunting of black bears with the aid of bait and
16 dogs, and allow the hunting of cougars with the aid of dogs.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW
18 to read as follows:

1 It is lawful to pursue or tree a black bear during established
2 pursuit only seasons, provided that any bear pursued or treed is not
3 killed or injured. Hunters participating in a pursuit only season for
4 black bear must have a valid hound stamp and hunting license. A bear
5 tag is not required to pursue black bear during the pursuit only
6 season.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.12 RCW
8 to read as follows:

9 It is lawful to hunt black bear during established hunting seasons
10 with either bait or dogs, or both.

11 (1) For the purposes of this section and section 4 of this act,
12 bait shall:

13 (a) Be defined as any substance placed with the intent of
14 attracting bear;

15 (b) Be limited to unprocessed plant and plant parts including
16 fruit; inedible parts of legally obtained food fish, game fish, and
17 game animals; carcasses of legally trapped furbearing animals with the
18 hide removed; carcasses of unclassified wildlife; and parts of domestic
19 livestock carcasses. All other forms of bait are illegal; and

20 (c) Not contain paper, cardboard, plastic, glass, aluminum, tin,
21 steel, styrofoam, or other packaging materials.

22 (2) Bait for black bear may not be placed in an area until five
23 days prior to the start of that area's established bear harvest season.
24 Bait may not be placed within fifty yards of any lake, pond, reservoir,
25 stream, river, or spring. Bait may not be placed within two hundred
26 yards of a road open to vehicular traffic or a publicly maintained
27 trail. Bait may not be placed within one-half mile of a publicly
28 designated administrative site, campground, picnic area, landfill, or
29 dump site, or within one-quarter mile of any permanent residence or
30 seasonal dwelling. However, private landowners may bait on their own
31 property within one-quarter mile of their own residence or seasonal
32 dwelling when the baiting does not violate any of the distance
33 requirements with adjacent landowners as detailed in this subsection.

34 (3) Bait containers must be contained within an excavated pit, or
35 within a confine constructed of materials located at the site.
36 Containment structures include, but are not restricted to, log cubbies,
37 rock piles, and stumps. Containers may also be used to hold bait. If
38 a container is used to hold bait it must be securely fastened.

1 (4) Items used to contain or to fasten bait containment materials
2 such as metal drums, nails, screws, bolts, rope, reinforcing rod, or
3 spikes shall be removed from the area within forty-eight hours of the
4 close of the bear harvest season. Excavated pits shall be filled and
5 the area returned to prebaiting condition. Tree stands and materials
6 used to construct and erect tree stands shall be removed within forty-
7 eight hours of the close of the bear harvest season, except that tree
8 stands may be left on private property with the landowner's permission.

9 (5) All hunters who hunt bear with bait shall affix their bear tag
10 number at their bear baiting sites in such a manner that it remains
11 conspicuous and legible for the duration of the bear season.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 77.12 RCW
13 to read as follows:

14 The department may restrict or prohibit the use of hounds and bait
15 to hunt black bear in areas set aside as grizzly bear recovery zones.

16 NEW SECTION. **Sec. 5.** A new section is added to chapter 77.12 RCW
17 to read as follows:

18 It is lawful to hunt cougar during established hunting seasons with
19 a dog or dogs. A valid hunting license is required to hunt or pursue
20 cougar. A hound permit is required for all hunters if a dog or dogs
21 are used to hunt cougar.

22 NEW SECTION. **Sec. 6.** RCW 77.16.360 and 1997 c 1 s 1 (Initiative
23 Measure No. 655) are each repealed.

24 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
25 preservation of the public peace, health, or safety, or support of the
26 state government and its existing public institutions, and takes effect
27 immediately.

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