

SSB 6118 - H AMD

By Representative Dickerson

1           Strike everything after the enacting clause and insert the  
2 following:

3           "**Sec. 1.** RCW 77.15.245 and 2001 c 253 s 31 are each amended to  
4 read as follows:

5           (1) Notwithstanding the provisions of RCW 77.12.240, 77.36.020,  
6 77.36.030, or any other provisions of law, it is unlawful to take,  
7 hunt, or attract black bear with the aid of bait.

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

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

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

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

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

28           (a) Nothing in this subsection shall be construed to prohibit  
29 the killing of black bear, cougar, bobcat, or lynx with the aid of  
30 a dog or dogs by employees or agents of county, state, or federal  
31 agencies while acting in their official capacities for the purpose

1 of protecting livestock, domestic animals, private property, or the  
2 public safety. A dog or dogs may be used by the owner or tenant of  
3 real property consistent with a permit issued and conditioned by  
4 the director.

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

11 (c) Nothing in this subsection shall be construed to prohibit  
12 the director from issuing a permit or memorandum of understanding  
13 to a public agency, university, or scientific or educational  
14 institution for the use of a dog or dogs for the killing of black  
15 bear, cougar, or bobcat, for the protection of a state and/or  
16 federally listed threatened or endangered species.

17 (3) Notwithstanding subsection (2) of this section, the  
18 commission shall authorize the use of dogs only in selected areas  
19 within a game management unit to address a public safety need  
20 presented by one or more cougar. This authority may only be  
21 exercised after the commission has determined that no other  
22 practical alternative to the use of dogs exists, and after the  
23 commission has adopted rules describing the conditions in which  
24 dogs may be used. Conditions that may warrant the use of dogs  
25 within a game management unit include, but are not limited to,  
26 confirmed cougar/human safety incidents, confirmed cougar/livestock  
27 and cougar/pet depredations, and the number of cougar capture  
28 attempts and relocations. For the purposes of this subsection, the  
29 direction to the commission to authorize the use of dogs in  
30 selected areas within a game management unit to address a public  
31 safety need presented by one or more cougar includes the authority  
32 to establish pursuit and hunting seasons, consistent with this  
33 section, as appropriate for carrying out the responsibilities of  
34 this section.

35 (4) A person who violates subsection (1) or (2) of this section  
36 is guilty of a gross misdemeanor. In addition to appropriate  
37 criminal penalties, the department shall revoke the hunting license  
38 of a person who violates subsection (1) or (2) of this section and  
39 order the suspension of wildlife hunting privileges for a period of

1 five years following the revocation. Following a subsequent  
2 violation of subsection (1) or (2) of this section by the same  
3 person, a hunting license shall not be issued to the person at any  
4 time.

5 NEW SECTION. **Sec. 2.** The amendments in state law enacted by  
6 this act are intended to serve as the basis of a pilot project,  
7 and expire on July 30, 2007."

8 Correct the title.

**EFFECT:** Clarifies that, until July 30, 2007, the state law that allows the Fish and Wildlife Commission to authorize the use of dogs to hunt cougars if a public safety need is present and no practical alternatives exist includes the authority to set seasons for hunting cougars with dogs.