

INITIATIVE 655

to the People

Chapter 1, Laws of 1997

METHODS OF TAKING WILDLIFE

EFFECTIVE DATE: 12/5/96

Approved by the
People of the State of Washington
in the General Election on
November 5, 1996

ORIGINALLY FILED

January 12, 1996

**Secretary of State
State of Washington**

1 AN ACT Relating to methods of taking wildlife; adding a new section
2 to chapter 77.16 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.16 RCW
5 to read as follows:

6 (1) Notwithstanding the provisions of RCW 77.12.240 and 77.12.265
7 or other provisions of law, it is unlawful to take, hunt, or attract
8 black bear with the aid of bait.

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

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

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

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

5 (2) Notwithstanding RCW 77.12.240 or any other provisions of law,
6 it is unlawful to hunt or pursue black bear, cougar, bobcat, or lynx
7 with the aid of a dog or dogs.

8 (a) Nothing in this subsection shall be construed to prohibit the
9 killing of black bear, cougar, bobcat, or lynx with the aid of a dog or
10 dogs by employees or agents of county, state, or federal agencies while
11 acting in their official capacities for the purpose of protecting
12 livestock, domestic animals, private property, or the public safety.
13 A dog or dogs may be used by the owner or tenant of real property
14 consistent with a permit issued and conditioned by the director under
15 RCW 77.12.265.

16 (b) Nothing in this subsection shall be construed to prohibit the
17 director from issuing a permit or memorandum of understanding to a
18 public agency, university, or scientific or educational institution for
19 the use of a dog or dogs for the pursuit of black bear, cougar, bobcat,
20 or lynx for scientific purposes.

21 (3) 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.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

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Election on November 5, 1996.