

A-Engrossed
House Bill 2759

Ordered by the House April 5
Including House Amendments dated April 5

Sponsored by Representatives P SMITH, HUNT, SUMNER; Representatives ACKERMAN, ANDERSON, BARNHART, BERGER, BEYER, BOQUIST, BROWN, BRUUN, BURLEY, BUTLER, DALLUM, ESQUIVEL, FARR, FLORES, GARRARD, GILMAN, HANNA, JENSON, KITTS, KRIEGER, KROPP, MORGAN, NELSON, OLSON, RICHARDSON, ROBLAN, SCHAUFLE, SCOTT, G SMITH, THATCHER, WHISNANT, WITT, Senators ATKINSON, BATES, BEYER, FERRIOLI, GEORGE, KRUSE, MORSE, NELSON, B STARR, C STARR, VERGER, WESTLUND, WHITSETT, WINTERS (at the request of Oregon Chapters of SCI "First for Hunters," Rocky Mountain Elk Foundation, Oregon Hunters Association, Oregon Guides and Packers Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs State Department of Fish and Wildlife to create pilot program that allows persons hunting or pursuing cougars to use dogs. Directs department to report to [*Seventy-fourth*] **Seventy-fifth** Legislative Assembly.

Sunsets program [*June 30, 2008*] **January 2, 2010**.

A BILL FOR AN ACT

1
2 Relating to cougars.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) Notwithstanding ORS 498.164, the State Department of Fish and Wildlife**
5 **shall create a pilot program allowing persons to use dogs in the hunting and in the nonlethal**
6 **pursuit of cougars. The department shall designate game management areas of the following**
7 **counties as areas in which the use of dogs in the hunting and in the nonlethal pursuit of**
8 **cougars is allowed:**

9 (a) Umatilla, Wallowa, Union, Baker, Grant, Douglas, Coos, Curry, Josephine and
10 Jackson; and

11 (b) Any county not specified in paragraph (a) of this subsection that, on or after June
12 30, 2008:

13 (A) Adopts a resolution requesting inclusion in the pilot program;

14 (B) Demonstrates to the satisfaction of the department that existing mechanisms for
15 protecting public safety and property have not been sufficient to deal with cougar problems;
16 and

17 (C) Documents to the department the number of unwanted encounters in the county
18 between humans and cougars, the number of livestock and domestic animals killed by
19 cougars in the county and the effect of cougars on the game mammal population.

20 (2) The pilot program shall allow for separate hunting and nonlethal pursuit seasons in
21 each area managed by the department.

22 (3) Rules adopted by the department to implement the pilot program shall:

23 (a) Be designed to protect public safety, property and game mammals;

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) Be designed to generate data that is necessary for the department to develop the re-
2 port required by section 2 of this 2005 Act;

3 (c) Reflect the current and future predictions of cougar populations;

4 (d) Reflect the current and future predictions of game mammal populations and rates of
5 taking of game mammals by licensed hunters; and

6 (e) Be designed to ensure that the number of cougars prescribed for taking under ORS
7 496.162 is met.

8 (4) The department may, as part of the rules adopted to implement the pilot program,
9 establish standards for handling dogs and for training persons using dogs in the hunting and
10 the nonlethal pursuit of cougars.

11 (5) The State Fish and Wildlife Commission may not limit the number of cougar tags is-
12 sued or the number of persons who may utilize dogs under the pilot program, however, the
13 commission may limit the number of cougars that may be taken in order to ensure that the
14 wildlife policy objectives of ORS 496.012 are met.

15 **SECTION 2.** The State Department of Fish and Wildlife shall report to the Seventy-fifth
16 Legislative Assembly on the pilot program conducted pursuant to section 1 of this 2005 Act.
17 The report shall contain:

18 (1) Information on the efficacy of the pilot program on cougar population management
19 and a recommendation on whether the pilot program should be made permanent or be ex-
20 tended. The department may provide this information on a statewide, regional or county by
21 county basis.

22 (2) A summary of the population data collected during the pilot program.

23 (3) A recommendation for the development of a comprehensive and effective reporting
24 system for people to report encounters with and sightings of cougars, bears and wolves.

25 (4) A recommendation for a cougar population management system that focuses on con-
26 trolling the population level.

27 (5) Identification of nonlethal means that would decrease encounters between humans
28 and cougars.

29 (6) A summary of the elk cow-to-calf ratio and of the deer doe-to-fawn ratio during the
30 pilot program in comparison with the same ratios for the 10 years prior to the implementa-
31 tion of the pilot program.

32 (7) A summary of any elk predation or nutrition research project conducted by the de-
33 partment in Union and Wallowa Counties.

34 **SECTION 3.** Sections 1 and 2 of this 2005 Act are repealed on January 2, 2010.
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