
HOUSE BILL 2868

State of Washington

55th Legislature

1998 Regular Session

By Representatives Sump, Boldt, Pennington, Sherstad, Mielke, Lambert and Thompson

Read first time 01/21/98. Referred to Committee on Natural Resources.

1 AN ACT Relating to a real property owner's use of that property for
2 hunting and fishing; amending RCW 77.12.040; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that private property
6 rights should be exercised in a manner that is consistent with the
7 prudent management of game animals and game fish. The legislature
8 finds that there is no legitimate reason why a person cannot hunt or
9 fish upon their own land during prescribed seasons when other people
10 are allowed to hunt or fish upon adjacent property. The legislature
11 therefore declares that a limited remedy would protect the rights of
12 private property owners and be consistent with management plans for
13 game and game fish.

14 **Sec. 2.** RCW 77.12.040 and 1987 c 506 s 15 are each amended to read
15 as follows:

16 The commission shall adopt, amend, or repeal, and enforce
17 reasonable rules prohibiting or governing the time, place, and manner
18 of taking or possessing game animals, game birds, or game fish. The

1 commission may specify the quantities, species, sex, and size of game
2 animals, game birds, or game fish that may be taken or possessed. The
3 commission shall regulate the taking, sale, possession, and
4 distribution of wildlife and deleterious exotic wildlife. The director
5 may adopt emergency rules under RCW 77.12.150.

6 The commission may establish by rule game reserves and closed areas
7 where hunting for wild animals or wild birds may be prohibited and
8 closed waters where fishing for game fish may be prohibited. If the
9 commission closes an area to hunting or fishing within the boundaries
10 of a nontreaty tribe reservation, however, nontribal members who reside
11 upon their own privately owned land within the reservation may exercise
12 the same hunting and fishing rights as tribal members.

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