

# SENATE BILL REPORT

## SB 5067

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As Reported by Senate Committee On:  
Natural Resources, Ocean & Recreation, February 18, 2009  
Ways & Means, March 2, 2009

**Title:** An act relating to hunting access.

**Brief Description:** Expanding hunter access to certain private lands.

**Sponsors:** Senator Jacobsen.

**Brief History:**

**Committee Activity:** Natural Resources, Ocean & Recreation: 2/09/09, 2/18/09 [DP-WM].  
Ways & Means: 3/02/09 [DP, DNP, w/oRec].

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### SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton, Ranking Minority Member; Fraser, Hargrove, Stevens and Swecker.

**Staff:** Curt Gavigan (786-7437)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Hobbs, Keiser, Kline, Kohl-Welles, McDermott, Murray, Oemig, Pridemore and Rockefeller.

**Minority Report:** Do not pass.

Signed by Senator Hewitt.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Zarelli, Ranking Minority Member; Brandland, Carrell, Honeyford, Parlette and Schoesler.

**Staff:** Maria Hovde (786-7710)

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:** Under current law, the Department of Fish and Wildlife (DFW) has the authority to enter into agreements with individuals and public and private entities regarding fish, shellfish, and wildlife-oriented recreation and the propagation, protection, conservation, and control of fish and wildlife. More specifically, the Department may enter into agreements with the owners or lessees of real or personal property to provide for the use of such property for fish, shellfish, and wildlife-oriented recreation.

Current law protects landowners or those in lawful possession of land under the recreation use immunity statute from liability where: no fee is charged for the recreational use of land; land is used for a fish and wildlife cooperative project; or access to land is provided for the cleanup of litter or solid waste.

**Summary of Bill:** DFW may furnish money, material, or labor pursuant to agreements with landowners or lessees for the use of property for fish, shellfish, and wildlife-oriented recreation where such agreements provide for public access to the real property.

Landowners or others in lawful possession and control of land who contract with the state to provide fish and wildlife-related recreational access are not liable for unintentional injuries to land users.

A surcharge of \$5 to residents and \$25 to nonresidents is applied to big game licenses and small game licenses that are not purchased with a big game license. A surcharge of \$5 applies to the three-day nonresident small game license. All revenue from these surcharges is deposited in the state wildlife fund and may be used only for the management and implementation of wildlife recreation access and habitat enhancement agreements. The administrative costs charged to this program may not exceed 10 percent of its annual expenditures.

**Appropriation:** None.

**Fiscal Note:** Available.

[OFM requested ten-year cost projection pursuant to I-960.]

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony (Natural Resources, Ocean & Recreation):** PRO: Lack of access is an issue. Providing public access is very important. Based on an internet survey by the Department of Fish and Wildlife, hunters will support this surcharge because it will bring about more access. There is hope that this money could be used to leverage federal funding.

**Persons Testifying (Natural Resources, Ocean & Recreation):** PRO: Dave Ware, DFW.

**Staff Summary of Public Testimony (Ways & Means):** None.

**Persons Testifying (Ways & Means):** No one.