
HOUSE BILL 1261

State of Washington 64th Legislature 2015 Regular Session

By Representatives Sawyer, Appleton, Stanford, and Pollet

Read first time 01/16/15. Referred to Committee on Community Development, Housing & Tribal Affairs.

1 AN ACT Relating to limiting enforcement action against tribal
2 hunters; and adding a new section to chapter 77.15 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.15
5 RCW to read as follows:

6 (1) A person engaged in hunting on privately owned forest land is
7 not subject to enforcement action under this chapter related to the
8 hunting activities if:

9 (a) The person is a member of a tribe that has a right to hunt
10 reserved by treaty or through other agreement with the United States;

11 (b) The tribe has hunting regulations in place that apply to
12 tribal member hunters accessing privately owned forest land;

13 (c) The tribe has entered into a written access agreement with
14 the private forest landowner and provided a copy of the agreement to
15 the regional office of the department where the land is located;

16 (d) The person has utilized the privately owned forest land
17 consistent with the forest landowner's terms and conditions; and

18 (e) The privately owned forest land is within the recognized
19 territory that the tribe ceded to the United States or the
20 established aboriginal hunting grounds of the tribe.

1 (2) For purposes of this section, "forest land" and "forest
2 landowner" have the same meanings as defined in RCW 76.09.020.

3 (3) Nothing in this section or in private landowner access
4 agreements referenced in this section may be construed to expand,
5 define, or limit the rights of tribal members to hunt according to
6 their treaty rights on private forest land. The legislature intends
7 that this section narrowly authorize enforcement jurisdiction over
8 hunting activities when the specific conditions outlined in
9 subsection (1) of this section are met.

10 (4) Nothing in this section may be construed to limit the
11 discretion of private forest landowners to allow access to tribal
12 members for hunting activities.

13 (5) Nothing in this section affects the definition of "open and
14 unclaimed lands" under tribal treaties.

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