
HOUSE BILL 2312

State of Washington

68th Legislature

2024 Regular Session

By Representatives Nance and Corry; by request of Department of Natural Resources

1 AN ACT Relating to the authority of the commissioner of public
2 lands to enter into tribal interlocal agreements; and amending RCW
3 7.84.140 and 43.12.065.

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

5 **Sec. 1.** RCW 7.84.140 and 2011 c 320 s 13 are each amended to
6 read as follows:

7 (1) The director chosen by the state parks and recreation
8 commission, the commissioner of public lands, and the director of the
9 department of fish and wildlife are each authorized to delegate and
10 accept enforcement authority over natural resource infractions to or
11 from the other agencies through an agreement entered into under the
12 interlocal cooperation act, chapter 39.34 RCW.

13 (2) The commissioner of public lands is authorized to delegate
14 enforcement authority over natural resource infractions under the
15 interlocal cooperation act, chapter 39.34 RCW, to federally
16 recognized Indian tribes that are state certified under chapter 10.92
17 RCW.

18 **Sec. 2.** RCW 43.12.065 and 2011 c 320 s 16 are each amended to
19 read as follows:

1 (1) For the promotion of the public safety and the protection of
2 public property, the department of natural resources may, in
3 accordance with chapter 34.05 RCW, issue, promulgate, adopt, and
4 enforce rules pertaining to use by the public of state-owned lands
5 and property which are administered by the department.

6 (2)(a) Except as otherwise provided in this subsection, a
7 violation of any rule adopted under this section is a misdemeanor.

8 (b) Except as provided in (c) of this subsection, the department
9 may specify by rule, when not inconsistent with applicable statutes,
10 that violation of such a rule is an infraction under chapter 7.84
11 RCW. However, any violation of a rule relating to traffic including
12 parking, standing, stopping, and pedestrian offenses is a traffic
13 infraction.

14 (c) Violation of such a rule equivalent to those provisions of
15 Title 46 RCW set forth in RCW 46.63.020 remains a misdemeanor.

16 (3) The commissioner of public lands and those employees as the
17 commissioner may designate shall be vested with police powers when
18 enforcing:

19 (a) The rules of the department adopted under this section;

20 (b) The civil infractions created under RCW 79A.80.080; or

21 (c) The general criminal statutes or ordinances of the state or
22 its political subdivisions where enforcement is necessary for the
23 protection of state-owned lands and property.

24 (4) The commissioner of public lands may, under the provisions of
25 RCW 7.84.140, enter into an agreement allowing employees of the state
26 parks and recreation commission (~~and~~), the department of fish and
27 wildlife, and federally recognized Indian tribes to enforce certain
28 civil infractions created under this title.

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