

SENATE BILL REPORT

SB 6598

As Reported By Senate Committee On:
Natural Resources, Ocean & Recreation, February 2, 2006

Title: An act relating to hunting.

Brief Description: Concerning hunting on certain county-owned lands.

Sponsors: Senators Haugen and Jacobsen.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 1/26/06, 2/2/06 [DPS-WM, DNP].

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: That Substitute Senate Bill No. 6598 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; Oke, Ranking Minority Member; Fraser, Morton and Spanel.

Minority Report: Do not pass.
Signed by Senator Stevens.

Staff: Curt Gavigan (786-7437)

Background: The Department of Fish and Wildlife (DFW) is charged with the management of the state's wildlife resources, including classifying wildlife, regulating when the taking of wildlife is lawful, regulating the equipment and methods that may be used to take wildlife, and establishing game reserves and areas closed to hunting.

The powers of a county can only be exercised by the county commissioners, or by agents or officers acting under their authority or the authority of law. The authority provided to the legislative entities of Washington counties includes the care of county property and other powers as are or may be conferred by law. More specifically, counties may enact laws and ordinances restricting the discharge of firearms in any portion of their respective jurisdictions where there is a reasonable likelihood that humans, domestic animals, or property will be jeopardized. Laws restricting the discharge of firearms may only be enacted where the right of individuals to bear arms in defense of self or others is not abridged.

Summary of Substitute Bill: Any county composed entirely of islands, any of which are connected with the mainland by state highway, may allow shooting on county-owned lands containing a trail system constructed or maintained for the purposes of outdoor recreation or county-owned waterfront property surrounded on all sides by homes only under specific circumstances.

Shooting on such properties may be allowed only where (1) the county sheriff's office is provided with sufficient resources to protect persons and property around such lands, (2) the Board of County Commissioners holds meetings at least annually on the issue of shooting on such lands, and (3) the county publishes notice of the dates and lands on which shooting will be allowed.

Shooting may not be allowed on such lands where the sheriff makes a written finding that the sheriff's office has not been provided with the resources necessary to secure the safety of persons and property on and around the lands.

However, after providing public notice, a county may allow shooting on such lands in coordination with a special hunt authorized by DFW where a game animal population poses a danger to persons, property, or habitat.

Substitute Bill Compared to Original Bill: The term "shooting" is substituted for the term "hunting" throughout the bill.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill is an attempt to ensure safety around county owned lands that contain trails and that are near homes. The bill does not ban hunting, but creates processes which must be followed to ensure it is done safely. Island County is an area that has grown a great deal in recent years, making hunting on the lands affected by this bill dangerous. The resources of the sheriff's office have been impacted by many instances of trespassing as hunters confuse private property with county owned lands. Attempts to deal with this issue at the county level have been unsuccessful thus far.

Testimony Against: Determining the areas of a county in which hunting is allowed should remain a local government issue, as statute currently allows. The county is currently working to come to an agreement and resolve this issue at the local level. Instead of shutting down entire areas to hunting, a compromise solution should be attempted.

Who Testified: PRO: Sen. Haugen; Dave Haworth, Useless Bay Colony; Bill Thieme, Useless Bay Colony; Tom Eisenberg, Friends of Camano Island Parks; Dwayne Broderban, Friends of Camano Island Parks; Darcy Patterson, Bicycles Northwest; Mike Hawley, Island County Sheriff; Bill Hanson, WACOPS.

CON: Jack Field, Washington Cattlemen's Association; Joe Waldron, CCRKBA, GOAL, WAC, WCW, WSR&PD; Ed Owens, Hunters Heritage Council; Bruce Bjork, DFW; Richard Mann, DFW; Tom Brandt, citizen.