

CHAPTER 52

[House Bill No. 69]

WASHINGTON STATE UNIVERSITY—FOREST TREE NURSERY REPEAL

AN ACT Relating to Washington State University; and repealing sections 28B.30.370, 28B.30.375 and 28B.30.380, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.370, 28B.30.375 and 28B.30.380.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. Sections 28B.30.370, 28B.30.375, and 28B.30.380, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.370, 28B.30.375 and 28B.30.380 are each hereby repealed.

Passed the House January 29, 1979.

Passed the Senate March 2, 1979.

Approved by the Governor March 19, 1979.

Filed in Office of Secretary of State March 19, 1979.

CHAPTER 53

[House Bill No. 50]

RECREATIONAL USE OF LAND—OWNER'S LIABILITY

AN ACT Relating to liability of landowners or others in possession or control; and amending section 2, chapter 216, Laws of 1967 as last amended by section 17, chapter 153, Laws of 1972 ex. sess. and RCW 4.24.210.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 2, chapter 216, Laws of 1967 as last amended by section 17, chapter 153, Laws of 1972 ex. sess. and RCW 4.24.210 are each amended to read as follows:

Any public or private landowners or others in lawful possession and control of (~~agricultural or forest~~) any lands whether rural or urban, or water areas or channels and (~~rural~~) lands adjacent to such areas or channels, who allow members of the public to use them for the purposes of outdoor recreation, which term includes, but is not limited to, hunting, fishing, camping, picnicking, swimming, hiking, bicycling, the riding of horses or other animals, clam digging, pleasure driving of (~~all-terrain~~) off-road vehicles, snowmobiles, and other vehicles, boating, nature study, winter or water sports, viewing or enjoying historical, archaeological, scenic, or scientific sites, without charging a fee of any kind therefor, shall not be liable for unintentional injuries to such users: PROVIDED, That nothing in this section shall prevent the liability of such a landowner or others in lawful possession and control for injuries sustained to users by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted: PROVIDED FURTHER, That nothing in RCW

4.24.200 and 4.24.210 limits or expands in any way the doctrine of attractive nuisance; AND PROVIDED FURTHER, That the usage by members of the public is permissive and does not support any claim of adverse possession.

Passed the House March 7, 1979.
 Passed the Senate March 2, 1979.
 Approved by the Governor March 19, 1979.
 Filed in Office of Secretary of State March 19, 1979.

CHAPTER 54

[Senate Bill No. 2159]

PUBLIC LANDS AND MATERIALS—SALES AND EXCHANGES

AN ACT Relating to public lands and materials; amending section 2, chapter 107, Laws of 1975 1st ex. sess. and RCW 79.08.015; amending section 50, chapter 255, Laws of 1927 as last amended by section 1, chapter 45, Laws of 1975 1st ex. sess. and RCW 79.01.200; amending section 51, chapter 255, Laws of 1927 as last amended by section 4, chapter 73, Laws of 1961 and RCW 79.01.204; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 2, chapter 107, Laws of 1975 1st ex. sess. and RCW 79.08.015 are each amended to read as follows:

~~((At least ten days but not more than twenty-five days))~~ Before the department of natural resources presents a proposed exchange to the board of natural resources involving an exchange of any lands under the administrative control of the department of natural resources, the department shall hold a public hearing on the proposal in the county where the state land or the greatest proportion thereof is located. Ten days but not more than twenty-five days prior to such hearing, the department shall publish a paid public notice of reasonable size in display advertising form, setting forth the date, time, and place of the hearing, at least once in one or more daily newspapers of general circulation in the county and at least once in one or more weekly newspapers circulated in the area where the state-owned land is located. A news release pertaining to the hearing shall be disseminated among printed and electronic media in the area where the state land is located. The public notice and news release also shall identify lands involved in the proposed exchange and describe the purposes of the exchange and proposed use of the lands involved. A summary of the testimony presented at the hearings shall be prepared for the board's consideration when reviewing the department's exchange proposal. If there is a failure to substantially comply with the procedures set forth in this section, then the exchange agreement shall be subject to being declared invalid by a court. Any such suit must be brought within one year from the date of the exchange agreement.