

1 **SB 5667** - H COMM AMD

2 By Committee on Natural Resources and Parks

3 On page 1, strike everything after the enacting clause and
4 insert the following:

5 "NEW SECTION. **Sec. 1.** The legislature recognizes the
6 increase in water-oriented recreation by users of human and wind-
7 powered, beachable vessels such as kayaks, canoes, or day sailors
8 on Washington's waters. These recreationists frequently require
9 overnight camping facilities along the shores of public or private
10 beaches. The legislature now creates a water trail recreation
11 program, to be administered by the Washington state parks and
12 recreation commission.

13 NEW SECTION. **Sec. 2.** In addition to its other powers,
14 duties, and functions, the commission may:

15 (1) Plan, construct, and maintain suitable facilities for
16 water trail activities on lands administered or acquired by the
17 commission or as authorized on lands administered by tribes or
18 other public agencies or private landowners by agreement.

19 (2) Provide and issue, upon payment of the proper fee, with
20 the assistance of those authorized agents as may be necessary for
21 the convenience of the public, water trail permits to utilize
22 designated water trail facilities. The commission may, after
23 consultation with the water trail advisory committee, adopt rules
24 authorizing reciprocity of water trail permits provided by another
25 state or Canadian province, but only to the extent that a similar
26 exemption or provision for water trail permits is issued by that
27 state or province.

1 (3) Compile, publish, distribute, and charge a fee for maps or
2 other forms of public information indicating areas and facilities
3 suitable for water trail activities.

4 (4) Contract with a public agency, private entity, or person
5 for the actual conduct of these duties.

6 (5) Work with individuals or organizations who wish to
7 volunteer their time to support the water trail recreation program.

8
9 NEW SECTION. **Sec. 3.** The commission may make water trail
10 program grants to public agencies or tribal governments and may
11 contract with any public agency, tribal government, entity, or
12 person to develop and implement water trail programs.

13 NEW SECTION. **Sec. 4.** The commission is not liable for
14 unintentional injuries to users of facilities administered for
15 water trail purposes under this chapter, whether the facilities are
16 administered by the commission or by any other entity or person.
17 However, nothing in this section prevents the liability of the
18 commission for injuries sustained by a user by reason of a known
19 dangerous artificial latent condition for which warning signs have
20 not been conspicuously posted.

21 NEW SECTION. **Sec. 5.** A person may not participate as a user
22 of the water trail recreation program without first obtaining a
23 water trail permit. A person must renew this permit on an annual
24 basis in order to continue to participate as a user of the program.
25 The fee for the issuance of the state-wide water trail permit for
26 each year shall be determined by the commission after consultation
27 with the water trail advisory committee. All state-wide water
28 trail permits shall expire on the last day of December of the year
29 for which the permit is issued.

1 NEW SECTION. **Sec. 6.** The water trail program account is
2 created in the state treasury. All receipts from sales of
3 materials pursuant to section 2 of this act and from state-wide
4 water trail permit fees collected pursuant to section 5 of this act
5 shall be deposited in the water trail program account. Any gifts,
6 grants, donations, or moneys from any source received by the
7 commission for the water trail program shall also be deposited in
8 the water trail program account. Moneys in the account may be
9 spent only after appropriation to the commission, and may be used
10 solely for water trail program purposes, including: (1)
11 Administration, acquisition, development, operation, planning, and
12 maintenance of water trail lands and facilities, and grants or
13 contracts therefor; and (2) the development and implementation of
14 water trail informational, safety, enforcement, and education
15 programs, and grants or contracts therefor.

16 NEW SECTION. **Sec. 7.** The commission may, after consultation
17 with the water trail advisory committee, adopt rules to administer
18 the water trail program and facilities on areas owned or
19 administered by the commission. Where water trail facilities
20 administered by other public or private entities are incorporated
21 into the water trail system, the rules adopted by those entities
22 shall prevail. The commission is not responsible or liable for
23 enforcement of these alternative rules.

24 NEW SECTION. **Sec. 8.** (1) There is created a water trail
25 advisory committee to advise the parks and recreation commission in
26 the administration of sections 1 through 7 of this act and to
27 assist and advise the commission in the development of water trail
28 facilities and programs.

29 (2) The advisory committee shall consist of twelve members,
30 who shall be appointed as follows:

1 (a) Five public members representing recreational water trail
2 users, to be appointed by the commission;

3 (b) Two public members representing commercial sectors with an
4 interest in the water trail system, to be appointed by the
5 commission;

6 (c) One representative each from the department of natural
7 resources, the department of wildlife, the Washington state
8 association of counties, and the association of Washington cities,
9 to be appointed by the director of the agency or association. The
10 director of the Washington state parks and recreation commission or
11 the director's designee shall serve as secretary to the committee
12 and shall be a nonvoting member.

13 (3) Except as provided in this section, the terms of the
14 public members appointed by the commission shall begin on January
15 1st of the year of appointment and shall be for three years or
16 until a successor is appointed, except in the case of appointments
17 to fill vacancies for the remainder of an unexpired term. In
18 making the initial appointments to the advisory committee, the
19 commission shall appoint two public members to serve for one year,
20 two public members to serve for two years, and three public members
21 to serve for three years. Public members of the advisory committee
22 may be reimbursed from the water trail program account for travel
23 expenses as provided in RCW 43.03.050 and 43.03.060.

24 (4) The committee shall select a chair and adopt rules
25 necessary to govern its proceedings. The committee shall meet at
26 the times and places it determines, not less than twice a year, and
27 additionally as required by the committee chair or by majority vote
28 of the committee.

29 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act are
30 each added to chapter 43.51 RCW."