

SENATE BILL REPORT

SB 5143

As of January 30, 2003

Title: An act relating to the keeping state recreation facilities open.

Brief Description: Creating the evergreen recreation pass.

Sponsors: Senators Hewitt, Oke and Regala.

Brief History:

Committee Activity: Parks, Fish & Wildlife: 2/3/03.

SENATE COMMITTEE ON PARKS, FISH & WILDLIFE

Staff: Kari Guy (786-7437)

Background: The State Parks and Recreation Commission recently implemented a day-use parking fee of \$5 per day, or \$50 for an annual pass. The Washington Department of Fish and Wildlife (WDFW) charges \$10 for the annual fish and wildlife lands vehicle use permit, or the permit is provided free of charge with all hunting and fishing licenses. The Department of Natural Resources (DNR) currently does not charge fees for parking at its recreation sites. Presently there is no mechanism to establish a single pass that could be used at all state-owned recreation sites.

Public or private landowners are not liable for unintentional injuries to members of the public who use the land for outdoor recreation, if no fee is charged. State Parks and Recreation Commission and WDFW vehicle use and parking permits are not considered a fee for purposes of recreational immunity.

In response to budget reductions in the 2002 supplemental operating budget, the State Parks and Recreation Commission canceled leases to certain parks owned by the Army Corps of Engineers and operated by State Parks under lease agreements. Four parks located along the Lewis and Clark National Historic Trail, including Chief Timothy, Lyons Ferry, Central Ferry, and Crow Butte State Parks, were recently closed by the Army Corps of Engineers.

Summary of Bill: The Interagency Committee on Outdoor Recreation must develop an evergreen recreation pass that can be used in place of parking fees charged at parking, day-use, trail head, or primitive overnight camping sites owned by the State Parks and Recreation Commission and the WDFW beginning January 1, 2004. The evergreen recreation pass is required for use of any DNR parking, day-use, trail head, or primitive overnight camping.

The initial cost of the evergreen recreation pass may not exceed \$35 for residents or \$65 for nonresidents for a basic pass. A deluxe pass that also includes access to boat launches may not exceed \$50 for residents or \$95 for nonresidents. The IAC may develop premium passes that combine additional licenses and services that may include camping, boat moorage, hunting, and fishing. All pass prices may be adjusted annually based on the fiscal growth

factor. On January 1 of any year that the Governor's proposed budget reduces general fund support for outdoor recreation programs, the cost of the pass is reduced to \$5.

The IAC may provide for the sale of the pass by various state agencies or vendors. Up to \$5 from the sale of each pass may be retained by the agency or vendor to cover the cost of processing, as determined by the IAC. The Department of Licensing also must offer the pass for purchase in each notice of license tab renewal.

Eighty percent of the net proceeds from the sale of the pass must be deposited in the State Parks Renewal and Stewardship Account until June 30, 2007, or until \$15 million is deposited in the account. All other net proceeds must be deposited in the Evergreen Recreation Account, to be used to support the recreation programs of the State Parks and Recreation Commission, WDFW and DNR. After June 30, 2006, the IAC must recommend to the Governor and Legislature how proceeds from the pass should be distributed.

Agencies participating in the evergreen recreation pass are authorized to enter into agreements with federal agencies and neighboring states to develop a regional recreation pass. Agencies are required to develop a proposal for a joint state and federal recreation pass by December 1, 2004, and report their findings to the Legislature.

The evergreen recreation pass must be displayed so it is visible from outside of the motor vehicle. Failure to display a pass is a natural resource infraction subject to a \$66 penalty. Penalties may be reduced to \$10 if the registered owner provides proof that an annual parking permit has been purchased within 15 days after the violation.

The evergreen recreation pass is a permit issued for statewide use and is not considered a fee for purposes of recreational immunity.

The State Parks and Recreation Commission may develop a Corps of Discovery Pass for designated sites along the Lewis and Clark Trail. The commission may seek private assistance with the marketing and merchandising of the pass. Proceeds from the pass must be deposited in the State Parks Renewal and Stewardship Account and be used for operation and maintenance of state parks located along the Lewis and Clark Trail.

An appropriation of \$450,000 for the current fiscal year is appropriated to the State Parks and Recreation Commission to develop the Corps of Discovery Pass and to reopen and operate Chief Timothy, Central Ferry, Lyons Ferry and Crow Butte state parks.

Appropriation: \$450,000.

Fiscal Note: Requested on January 16, 2003.

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