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## General Government Appropriations & Oversight Committee

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### HB 2295

**Brief Description:** Regarding the discover pass.

**Sponsors:** Representatives Van De Wege, Tharinger, Hudgins, Eddy, Springer, Appleton, Maxwell, Haler, Reykdal, Lytton, Sells, Smith, Green, Billig, Hurst, Wilcox, Dammeier, Pedersen, Takko, Morris, Angel, Stanford, Moscoso, Ormsby, Haigh, Hansen and Roberts.

#### Brief Summary of Bill

- Repeals existing provisions relating to the Discover Pass, Day-use permit, and the Recreation Access Pass Account and replaces them with similar, modified provisions.
- Creates an annual Discover Pass (\$30) with a day use option (\$10) that allows access to all recreation lands managed by the State Parks and Recreation Commission, the Department of Natural Resources, and the Department of Fish and Wildlife.
- Assigns the State Parks and Recreation Commission with the primary responsibility for administering the Discover Pass program.
- Prohibits the agencies from requiring any additional payment, other than the Day-use permit and under certain circumstances, for noncommercial recreational day use access to lands by individuals or single vehicles.
- Offers a 50% discount for a Discover Pass purchased concurrently with certain hunting and fishing licenses, or with the purchase of a campsite.
- Allows pass-free access while camping or on one of twelve required free days chosen by Parks each year.
- Shares revenue, via a prescribed formula, among three agencies after first reimbursing the State Parks and Recreation Commission for producing, marketing, and distributing the pass or permit.
- Expands the options in which to purchase the Discover Pass.
- Prohibits the collection of personal information during purchase of a license, permit, tag, or stamp with the Department of Fish and Wildlife.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Hearing Date:** 1/26/12, 2/1/12

**Staff:** Michael Bennion (786-7118).

**Background:**

The Washington State Parks system, the fourth oldest in the nation, includes 117 developed parks on over 100,000 total acres. Each year, the system sees well over 40 million visitors, with many using one of the over 2,000 modern camping sites or other overnight accommodation, holding events with use of group facilities, or simply for day-use recreating purposes.

The Washington Department of Fish and Wildlife (WDFW), Department of Natural Resources (DNR), and State Parks and Recreation Commission (State Parks) are charged with managing the public lands of the state. The WDFW owns or manages nearly one million acres of public land for fish and wildlife, habitat conservation, and wildlife-related recreation. The DNR protects and manages 5.6 million acres of state-owned land.

Until July 1, 2011, there was no charge to the public for access to both DNR or State Parks land and recreation sites. The WDFW charged \$10 for the annual fish and wildlife lands vehicle use permit, or the permit was provided free of charge with all hunting and fishing licenses.

State Parks have historically been funded with varying levels of state general fund. In response to reductions in general fund support and in an effort to make the State Parks self-supporting, agency request and subsequently enacted legislation in 2011 created the Discover Pass permit as a way to increase contributions from users.

Discover Pass Permit

The Discover Pass allows for vehicle access in designated recreational areas located on state lands owned or managed by the DNR, the WDFW, and the State Parks. The Discover Pass is the only pass needed to access recreational sites such as trailheads, parking areas, winter recreation areas, boat launches, and water trails. Visitors wishing to park on state recreational lands must obtain an annual Discover Pass or a Day-use permit allowing vehicle access.

The Discover Pass permit is valid for one vehicle for twelve months from the point of purchase at a cost of \$30, while a Day-use permit costs \$10. Every four years, the Office of Financial Management must review the cost of the permits and recommend to the legislature any adjustment to account for inflation.

A Discover Pass permit can be purchased through the Department of Licensing (DOL) at the time of vehicle registration, through the WDFW's automated licensing system, over the telephone, at nearly 600 retail sporting goods and recreational license dealers, at agency headquarters in Olympia or at the actual park. Dealer and transaction fees apply in an effort to recover costs of marketing and processing permits at their full cost.

A Discover Pass or Day-use permit must be visible in a vehicle. Failure to display the Discover Pass or the Day-use permit is a natural resource infraction with a penalty of \$99. If an annual Discover Pass is purchased within 15 days after notice of an infraction, the penalty is reduced to

\$59. The agencies are authorized to delegate and accept enforcement authority under the Interlocal Cooperation Act.

#### Exemptions

A Discover Pass or Day-use permit is not required for the following circumstances:

- When camping at a state park;
- When parked in a designated 30-minute short term parking area;
- For holders of certain hunting and fishing licenses on WDFW recreation lands and water-access sites. For those individuals, a "vehicle access pass" is required for vehicle access to WDFW lands and boat launches;
- Persons or entities who use, possess, or enter lands owned or managed by WDFW, DNR, and State Parks for purposes consistent with a written authorization from the respected agency, including but not limited to leases, contracts, and easements.

State parks may be made available for access without a Discover Pass or Day-use permit for up to 12 days a year.

A complimentary Discover Pass must be provided to a volunteer who performs 24 hours of service on agency-sanctioned volunteer projects in a year.

The Annual Natural Investment Permit is allowed in lieu of the Discover Pass or Day-use permit at State Parks' designated boat launch sites. Similarly, the Sno-Park Season Permit is allowed in lieu of the Discover Pass or Day-use permit at designated Sno-Parks between November 1 and March 31 of each year.

#### Proceeds from Discover Pass

Revenue from the Discover Pass and Day-use permits is deposited into the Recreation Access Pass Account. The first \$71 million in revenue is distributed as such:

- 8 percent is deposited into the State Wildlife Account (WDFW);
- 8 percent is deposited into Park Land Trust Revolving Account (DNR); and
- 84 percent is deposited into State Parks' Parks Renewal & Stewardship Account.

Revenue to State Parks is intended to recover the loss of state general fund support. Each agency is allowed broad uses for their portion of the overall revenue, with proceeds generally directed towards the maintenance and operations of their respective lands.

All revenues exceeding \$71 million each fiscal biennium are distributed equally amongst the agencies.

The Discover Pass and Day-use permit are not considered a fee under the Recreational Immunity Statute for purposes of liability.

#### **Summary of Bill:**

Provisions contained in 2011 legislation relating to the Discover Pass, Day-use permit and Recreational Access Pass Account (Chapter 320, Sections 2 through 10, Laws of 2011) are repealed and replaced with similar provisions.

The State Parks and Recreation Commission (State Parks) has the primary responsibility for administering the Discover Pass program, including the production, marketing, and distribution of passes and permits to private vendors and other sales locations.

Prior to being distributed to the respective agencies, revenue from Discover Pass and Day-use permit sales must reimburse the State Parks for the costs of producing, marketing, and distributing the pass or permit. Revenue is directed for broad uses relating to improving access, enforcing laws, and for operating, maintaining and administering the recreation lands each agency manages.

The Discover Pass and Day-use permit may be sold through private vendors under contract with State Parks. The vendors may be provided passes and permits to sell at retail for a per item price less than the sales price. If found appropriate by the State Parks, unstaffed collection stations are to be used to collect any fees or distribute a pass or permit necessary to access State Parks. Further, authorized county auditors, local agents and subagents may offer the pass or permit for sale and distribution.

With the purchase of certain hunting and fishing licenses, the Discover Pass is offered at a 50 percent discount. The Discover Pass and Day-use permit replace the Vehicle Access Pass and is required for WDFW recreation lands. The WDFW Director may not require the purchaser of a Discover Pass or Day-use permit to provide any personal information except for, when appropriate, proof of residency.

Each Discover Pass must contain space for two license plate numbers and is valid for one-year from the date of purchase. However, a gift option allows the purchaser to designate the month in which the pass becomes effective.

A Discover Pass or Day-use permit is not required when parked in a designated 15-minute short-term parking area. Those camping at a state park do not need a Discover Pass or Day-use permit and with the purchase of a campsite, the Discover Pass is offered at a 50 percent discount. Current exemptions for Annual Natural Investment permit holders are removed and replaced with the Discover Pass only. Special winter recreational areas managed by the state parks and recreation commission are exempt from the Discover Pass, but still must obtain the valid Sno-Park permit. State Parks must provide twelve free days per year.

There are no returns and no refunds for the cost of the Discover Pass once it has been purchased. Replacement passes are provided at full cost.

**Appropriation:** None.

**Fiscal Note:** Requested on 01/10/2012.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.