

HOUSE BILL REPORT

2SSB 5622

As of Second Reading

Title: An act relating to recreation access on state lands.

Brief Description: Concerning recreation access on state lands.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Swecker, Fraser, Hargrove, White, Regala, Shin, Chase, Kline and Conway; by request of Parks and Recreation Commission, Department of Natural Resources and Department of Fish and Wildlife).

Brief History:

Committee Activity:

None.

Brief Summary of Second Substitute Bill

- Creates the Discover Pass and Day-Use Permit and requires these permits to be visible in any vehicle located at a designated recreation site or recreation lands managed by the Department of Natural Resources, the Washington Department of Fish and Wildlife, or the State Parks and Recreation Commission.
- Creates the Recreation Access Pass Account.

Staff: Jason Callahan (786-7117).

Background:

The Washington Department of Fish and Wildlife (WDFW), Department of Natural Resources (DNR), and the 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. In addition, the Washington park system includes 119 developed parks.

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.

The DNR and State Parks currently do not charge fees for access to their lands or recreation sites. The WDFW charges \$10 for the annual fish and wildlife lands vehicle use permit, or the permit is included with hunting and fishing licenses.

In 2009 the Legislature created the Opt-Out Donation Program to support the maintenance and operation of State Parks. The donation is \$5, and is made at the time an owner registers a vehicle with the Department of Licensing (DOL).

Summary of Bill:

Recreational Access.

The Discover Pass is created to allow for vehicle access on designated recreational areas located on state lands owned or managed by the DNR, the WDFW, and State Parks. The Discover Pass allows access to recreational sites such as trailheads, parking areas, and water trails.

The Discover Pass costs \$30 for an annual pass and \$10 for a day pass. In addition, the purchasers of certain hunting and fishing licenses receive a complimentary vehicle access pass that allows access only to land managed by the WDFW. No passes or permits are required when camping at a state park or when parked in a designated 30-minute short term parking area. State parks may be made available for access without a Discover Pass or day use permit for up to 12 days a year. Individuals purchasing a winter recreation area permit, also known as a Sno-Park pass, are not required to purchase any additional passes or permits to use the Sno-Park. The same is true for boat launches located at a state park if the boat launcher has purchased a permit through Parks to use those facilities.

A Discover Pass may be purchased through the DOL, through the WDFW's automated licensing system, through the state parks camping reservation system, and through any other outlets involved in the distribution of state permits and licenses.

The Recreation Access Pass Account.

The Recreation Access Pass Account (Account) is created in the State Treasury. All funds from the sale of Discover Passes and Day-Use Permits must be deposited into the Account.

For the first \$71 million in revenue collected under the provisions of this bill each fiscal biennium:

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

All revenues exceeding \$71 million each fiscal biennium are distributed equally amongst the agencies. Each agency has different allowed uses for the revenue; however, generally, the revenue may be used for operations and maintenance of recreation areas.

Natural Resource Infraction.

A Discover Pass and the Day-Use Permit requirements 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. A city or county may assess the same, or reduced, penalty if a local ordinance requires the display of a Discover Pass on local streets adjacent to a state recreational site.

Other Provisions.

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

The Discover Pass or Day-Use Permit is not required for persons who use, possess, or enter lands owned or managed by the WDFW, the DNR, and State Parks for purposes consistent with a written authorization from the WDFW, the DNR, or State Parks, including but not limited to leases, contracts, and easements.

The Discover Pass and the Day-Use Permit are not considered a fee under the recreational immunity statute for purposes of liability.

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

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2011, except for section 13, relating to provisions regarding the license renewal system at the Department of Licensing, which takes effect on October 1, 2011.

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.