

# SENATE BILL REPORT

## SB 6387

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As Reported by Senate Committee On:  
Energy, Natural Resources & Marine Waters, February 1, 2012  
Ways & Means, February 7, 2012

**Title:** An act relating to state parks, recreation, and natural resources fiscal matters.

**Brief Description:** Concerning state parks, recreation, and natural resources fiscal matters.

**Sponsors:** Senator Ranker.

**Brief History:**

**Committee Activity:** Energy, Natural Resources & Marine Waters: 1/19/12, 2/01/12 [DPS-WM].

Ways & Means: 2/06/12, 2/07/12 [DPS(ENRM), DNP, w/oRec].

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### SENATE COMMITTEE ON ENERGY, NATURAL RESOURCES & MARINE WATERS

**Majority Report:** That Substitute Senate Bill No. 6387 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Ranker, Chair; Regala, Vice Chair; Delvin, Ranking Minority Member; Morton, Ranking Minority Member; Fraser, Hargrove and Stevens.

**Staff:** Curt Gavigan (786-7437)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 6387 as recommended by Committee on Energy, Natural Resources & Marine Waters be substituted therefor, and the substitute bill do pass.

Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli, Ranking Minority Member; Parlette, Ranking Minority Member Capital; Brown, Conway, Fraser, Harper, Hatfield, Hewitt, Honeyford, Kastama, Keiser, Kohl-Welles, Pridemore, Regala, Schoesler and Tom.

**Minority Report:** Do not pass.

Signed by Senator Holmquist Newbry.

**Minority Report:** That it be referred without recommendation.

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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.*

Signed by Senators Baumgartner and Padden.

**Staff:** Michael Bezanson (786-7449)

**Background:** The State Parks and Recreation Commission (SPRC). The Legislature has charged the SPRC with care and control over lands set aside for park purposes, including approximately 120 developed parks. Statutes provide the SPRC with broad policy and rulemaking authority over management of the state's park system. Other SPRC responsibilities include recreational boater safety and education and winter recreation.

Discover Pass Program. During the 2011 regular session, the Legislature passed 2SSB 5622 which generally requires an annual Discover Pass or day-use permit for access to certain recreation lands managed by SPRC, Department of Natural Resources (DNR), and Department of Fish & Wildlife (DFW). The legislation also created DFW Vehicle Access Pass, which is issued along with certain hunting and fishing licenses and allows access to DFW managed lands. Revenues from the Discover Pass are deposited in the Recreation Access Pass Account (RAPA) and distributed to SPRC, DNR, and DFW according to a statutory formula.

Penalties from Discover Pass Violations. The failure to comply with the Discover or DFW Vehicle Access Pass requirement is a natural resources infraction. The penalty is \$99, but is reduced to \$59 if an individual purchases a Discover Pass within 15 days of issuance of a notice of violation. District Courts have jurisdiction over natural resources infractions, including Discover Pass-related violations. Generally, 32 percent of fines assessed or collected through a District Court are provided to the state for deposit in the state General Fund, while the remainder is retained by the county. All fines assessed and collected for county parking infractions are retained by the county.

**Summary of Bill (Recommended Substitute):** Shifts the Disposition of Discover Pass Penalties. A County Treasurer must provide monies received as a result of the failure to comply with a Discover or DFW Vehicle Access Pass requirement to the state, for deposit in RAPA.

**EFFECT OF CHANGES MADE BY ENERGY, NATURAL RESOURCES & MARINE WATERS COMMITTEE (Recommended Substitute):** The recommended substitute removes provisions amending the 2011-13 operating budget.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Original Bill (Energy, Natural Resources & Marine Waters):** OTHER: The Legislature's support of parks and its efforts to change Discover Pass transferability provisions are much appreciated. The shift of state General

Fund dollars for the biennium to the 2012 fiscal year is not a major solution to its funding problems, and presumes that State Parks will not receive state General Fund in the future. There is also concern about funding liability regarding the direction to prioritize certain actions as part of the reduction process, although that policy decision is indeed the Legislature's call. Allowing Discover Pass penalties to fund recreation could create a public image issue as it could create self-interest to increase enforcement.

**Persons Testifying (Energy, Natural Resources & Marine Waters):** OTHER: Daniel Farber, WA State Parks and Recreation Commission; Jim King, Citizens for Parks and Recreation.

**Staff Summary of Public Testimony on Substitute (Ways & Means):** OTHER: We have concerns with the bill. We are hesitant to take funding from the counties for the use of Parks. We do not want to have the perception that rangers and employees of Parks are out there looking for money. Counties are facing their own financial troubles. While the overall revenue amounts may appear small we hope that you consider the accumulated impacts to locals in all of your budget decisions. Locals will have costs for cases that are appealed.

**Persons Testifying (Ways & Means):** OTHER: Jim King, Citizens of Parks and Recreation; Brian Enslow, WA State Assn. of Counties.