

# HOUSE BILL REPORT

## SSB 5289

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**As Reported by House Committee On:**  
Community Development, Housing & Tribal Affairs

**Title:** An act relating to the discover pass.

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

**Sponsors:** Senate Committee on Natural Resources & Parks (originally sponsored by Senators Hargrove, Hatfield, Ranker, Hobbs, Sheldon and Schoesler).

**Brief History:**

**Committee Activity:**

Community Development, Housing & Tribal Affairs: 3/19/13, 3/26/13 [DPA].

**Brief Summary of Substitute Bill  
(As Amended by Committee)**

- Authorizes the sale of the Discover Pass at a discounted rate for sales, bundling, and partnership opportunities.
- Provides an exception for the Discover Pass requirements for motor vehicles operating on certain roads managed by the Department of Natural Resources and the Department of Fish and Wildlife.

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### HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

**Majority Report:** Do pass as amended. Signed by 7 members: Representatives McCoy, Chair; Appleton, Vice Chair; Johnson, Assistant Ranking Minority Member; Pike, Ryu, Santos and Sawyer.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Angel, Ranking Minority Member; Haler.

**Staff:** Sean Flynn (786-7124).

**Background:**

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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.*

In 2011 the Legislature created the Discover Pass to help recover the costs for the operation and management of state lands used for recreational activities. The Discover Pass establishes a user fee for motor vehicle access to recreational areas managed by the State Parks and Recreation Commission (State Parks), the Department of Natural Resources (DNR) and the Department of Fish and Wildlife (DFW) (collectively "the agencies").

#### Discover Pass.

A Discover Pass costs \$30 per year and may be used for up to two vehicles. A day-use permit is also available for \$10 per day. The agencies are permitted to sell an annual family Discover Pass for no more than \$50 that is fully transferrable among vehicles, although such passes are currently not offered. All money received from the Discover Pass and day-use permits sales are deposited into a special account and distributed to the agencies on a proportional basis established by the Legislature.

#### Sales.

The Discover Pass and day-use permits may be made available for purchase directly from the State Parks, the DFW, the Department of Licensing, or other outlets authorized to sell state licenses, permits, or passes. The agencies also may provide Discover Passes or day use permits to vendors for retail sale at the established statutory price.

#### Exceptions.

The Discover Pass or day-use permit is required for a motor vehicle to operate on any recreational site or lands or to park at a recreational area. The Discover Pass or day use permit is not required for nonrecreational uses of agency lands if the use is consistent with a written authorization from the agency. Each agency must designate short-term parking areas, where applicable, that are exempt from Discover Pass or day-use permit requirements.

Certain passes and permits issued by the agencies exempt the user from Discover Pass and day use permits, including: the Vehicle Access Pass issued by the DFW to persons who purchase certain hunting, fishing, and wildlife viewing permits; camper registrations; the Annual Natural Investment Permit issued by the State Parks; and a Sno-Park seasonal permit issued by the State Parks for access to designated parks during the wintertime.

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

#### Discover Pass - Exception.

The Discover Pass or day-use permit is not required for motor vehicles operating on a road managed by the DNR or the DFW, including a forest or land management road, if the road is not blocked by a gate. This exception does not apply to the State Parks lands.

#### Discover Pass - Discount Sales.

The agencies are authorized to sell Discover Passes or day-use permits at a discounted rate below the price established by statute for purposes of:

- bulk sales to retailers;
- agency license and permit product bundling; and
- partnership opportunities to promote the accessibility and visibility of the Discover Pass and recreational opportunities.

**Amended Bill Compared to Substitute Bill:**

The amendment excludes the State Parks from the Discover Pass and day-use permit exception for operation of motor vehicles on agency roads.

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**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on March 25, 2013.

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

**Staff Summary of Public Testimony:**

(In support) Revenue anticipated by the Discover Pass has been less than anticipated. The agencies have contracted for a marketing business plan to look at ways to increase revenue. A key element of the plan is to move the Discover Pass into stores like restaurant cards so it is easier to obtain. A key element of that plan is the ability to discount to large stores. The bundling authority is intended to increase net revenue.

(Other) The bundling and discounted sales provision is consistent with the business plan recommendations for the agencies to increase revenue. It is expected that revenue will be reduced by the exception for operation on the State Parks roads.

(Opposed) Given the budget shortfall, anything that reduces the State Parks budget causes great concern. The bill creates inconsistency and confusion for visitors by allowing an exception if a park entrance booth is not staffed, while requiring the Discover Pass if the entrance is staffed. This will turn the Discover Pass into a parking pass only in some parks and an access fee in other parks if the entrance booth is staffed.

The bill should be amended to address the concerns about park access, and allow the bundling provision to move forward. The revenue would be reduced if access were granted for use of roads in state parks. There needs to be consistency in implementing the Discover Pass requirements. It would require the State Parks to forgo revenue or staff all entrances to each park.

The original bill did not have the bundling provision. It was added after it came out of committee and not vetted through stakeholders. Users have consistently opposed discounting and wholesaling of the Discover Pass. There are no discounts for hunting and fishing

licenses. The proposal is premature and the agencies must work with stakeholders before introducing this kind of legislation. This will create confusion with the public.

Last year there were 16 bills introduced to fix the Discover Pass. The Discover Pass is not a problem needing to be fixed. This bill creates confusion over the Discover Pass and unintended consequences, such as requiring the Discover Pass when a vehicle is stopped but not while it is moving. It also would cause a decrease in \$1 million in revenue.

**Persons Testifying:** (In support) Greg Schirato, Washington State Department of Fish and Wildlife.

(Other) Susan Kavanaugh, Washington State Parks and Recreation Commission.

(Opposed) Brian Yearout, Washington Federation of State Employees; Jim King, Citizens for Parks and Recreation; and Stet Palmer.

**Persons Signed In To Testify But Not Testifying:** None.