

SENATE BILL REPORT

SB 6297

As Reported by Senate Committee On:
Natural Resources & Parks, February 3, 2016

Title: An act relating to the disposition of penalties paid for failure to comply with recreational site or lands pass/permit requirements.

Brief Description: Concerning the disposition of penalties paid for failure to comply with recreational site or lands pass/permit requirements.

Sponsors: Senators King and Takko.

Brief History:

Committee Activity: Natural Resources & Parks: 1/20/16, 2/03/16 [DPS-WM].

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 6297 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Pearson, Chair; Dandel, Vice Chair; Jayapal, Ranking Member; Chase, Fraser, Hewitt and Warnick.

Staff: Curt Gavigan (786-7437)

Background: Discover Pass Generally. During the 2011 regular session, the Legislature passed 2SSB 5622 which generally requires an annual Discover Pass or day-use permit for motor vehicle access to recreation lands managed by the State Parks & Recreation Commission (State Parks), the Department of Natural Resources (DNR), and the Department of Fish & Wildlife (DFW).

Discover Pass Infraction Revenue. Failure to comply with the Discover Pass requirement is a natural resource infraction with a statutory fine of \$99. This penalty must be reduced to \$59 dollars if an individual provides proof of purchase of a Discover Pass to the court within fifteen days after the issuance of the notice of violation.

In 2012, the Legislature provided all revenue from Discover Pass violations to the Recreation Access Pass Account, which funds recreational land management by State Parks, DNR, and DFW.

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.

Infraction Revenue Generally. 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: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): For counties with a population of less than 100,000 on the date the bill takes effect, infraction revenue for Discover Pass violations is split between the state and county as follows:

- 75 percent goes to the Recreation Access Pass Account to fund recreational land management by State Parks, DNR, and DFW; and
- 25 percent is retained by the county.

For other counties, all revenue from Discover Pass violations goes to the Recreation Access Pass Account as under current law.

EFFECT OF CHANGES MADE BY NATURAL RESOURCES & PARKS COMMITTEE (Recommended Substitute): Makes the split in fine revenue between the state and county only applicable for counties with a population of less than 100,000 on the effective date of the bill. In the remaining counties, the revenue is treated the same as in current law.

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 First Substitute: PRO: Discover Pass fines have had a huge impact on district court in Skamania County, a county which has faced huge budget challenges. In 2015, over 2000 tickets were issued in that county, costing an estimated \$25,000 to \$30,000 in court costs. This has also had a disparate impact on other rural counties with popular state-managed recreation areas. In the first year of the Discover Pass, a portion of revenue stayed local and this is the policy to which local governments would like to return. This will help compensate counties for the costs that result from processing Discover Pass fines.

Persons Testifying on First Substitute: PRO: Senator King, prime sponsor; Sam Meyer, District and Municipal Court Judges Association; Brian Enslow, WA ST Assoc. of Counties; Doug McKenzie, Commissioner, Skamania County.

Persons Signed In To Testify But Not Testifying on First Substitute: No one.