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**SENATE BILL 6174**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Schoesler, Becker, Brown, Hasegawa, Muzzall, O'Ban, Wagoner, and Warnick

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1 AN ACT Relating to free public access to state parks and lands;  
2 amending RCW 4.24.210, 43.30.385, 46.01.140, 46.16A.090, 77.12.170,  
3 77.15.750, 77.32.010, 79A.05.070, 79A.05.215, and 79A.80.010;  
4 creating new sections; and repealing RCW 46.01.370, 79A.80.020,  
5 79A.80.030, 79A.80.050, 79A.80.060, 79A.80.070, 79A.80.080,  
6 79A.80.090, 79A.80.100, and 79A.80.110.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** (1) The legislature finds that as the  
9 public enjoys open space and the natural beauty and recreational  
10 opportunities of this state, state lands and parks are a public good  
11 that should be available to all people, regardless of financial  
12 means.

13 (2) The legislature also finds that while the economic  
14 circumstances resulting from the great recession brought about user-  
15 based, pay-to-play policies, such as the discover pass, for access to  
16 state-owned lands, this policy has resulted in decreased attendance  
17 and usage of our state parks and lands. A decline by an average of  
18 seven million visits per year as compared to the visitation rates of  
19 the two years prior to the enactment of the discover pass.

20 (3) For most of Washington's history, public access to state  
21 parks and lands were free to all. It was a policy that served our

1 state well. It is the intent of the legislature to return to that  
2 policy and repeal the requirement of having a discover pass to visit  
3 any state-owned land. The lost revenues that would have otherwise  
4 come from discover pass sales are intended to be replaced with state  
5 general fund appropriation.

6 **Sec. 2.** RCW 4.24.210 and 2017 c 245 s 1 are each amended to read  
7 as follows:

8 (1) Except as otherwise provided in subsection (3) or (4) of this  
9 section, any public or private landowners, hydroelectric project  
10 owners, or others in lawful possession and control of any lands  
11 whether designated resource, rural, or urban, or water areas or  
12 channels and lands adjacent to such areas or channels, who allow  
13 members of the public to use them for the purposes of outdoor  
14 recreation, which term includes, but is not limited to, the cutting,  
15 gathering, and removing of firewood by private persons for their  
16 personal use without purchasing the firewood from the landowner,  
17 hunting, fishing, camping, picnicking, swimming, hiking, bicycling,  
18 skateboarding or other nonmotorized wheel-based activities, aviation  
19 activities including, but not limited to, the operation of airplanes,  
20 ultra-light airplanes, hang gliders, parachutes, and paragliders,  
21 rock climbing, the riding of horses or other animals, clam digging,  
22 pleasure driving of off-road vehicles, snowmobiles, and other  
23 vehicles, boating, kayaking, canoeing, rafting, nature study, winter  
24 or water sports, viewing or enjoying historical, archaeological,  
25 scenic, or scientific sites, without charging a fee of any kind  
26 therefor, shall not be liable for unintentional injuries to such  
27 users.

28 (2) Except as otherwise provided in subsection (3) or (4) of this  
29 section, any public or private landowner or others in lawful  
30 possession and control of any lands whether rural or urban, or water  
31 areas or channels and lands adjacent to such areas or channels, who  
32 offer or allow such land to be used for purposes of a fish or  
33 wildlife cooperative project, or allow access to such land for  
34 cleanup of litter or other solid waste, shall not be liable for  
35 unintentional injuries to any volunteer group or to any other users.

36 (3) Any public or private landowner, or others in lawful  
37 possession and control of the land, may charge an administrative fee  
38 of up to twenty-five dollars for the cutting, gathering, and removing  
39 of firewood from the land.

1 (4) (a) Nothing in this section shall prevent the liability of a  
2 landowner or others in lawful possession and control for injuries  
3 sustained to users by reason of a known dangerous artificial latent  
4 condition for which warning signs have not been conspicuously posted.

5 (i) A fixed anchor used in rock climbing and put in place by  
6 someone other than a landowner is not a known dangerous artificial  
7 latent condition and a landowner under subsection (1) of this section  
8 shall not be liable for unintentional injuries resulting from the  
9 condition or use of such an anchor.

10 (ii) Releasing water or flows and making waterways or channels  
11 available for kayaking, canoeing, or rafting purposes pursuant to and  
12 in substantial compliance with a hydroelectric license issued by the  
13 federal energy regulatory commission, and making adjacent lands  
14 available for purposes of allowing viewing of such activities, does  
15 not create a known dangerous artificial latent condition and  
16 hydroelectric project owners under subsection (1) of this section  
17 shall not be liable for unintentional injuries to the recreational  
18 users and observers resulting from such releases and activities.

19 (b) Nothing in RCW 4.24.200 and this section limits or expands in  
20 any way the doctrine of attractive nuisance.

21 (c) Usage by members of the public, volunteer groups, or other  
22 users is permissive and does not support any claim of adverse  
23 possession.

24 (5) For purposes of this section, the following are not fees:

25 (a) A license or permit issued for statewide use under authority  
26 of chapter 79A.05 RCW or Title 77 RCW;

27 (b) A pass or permit issued under RCW (~~79A.80.020, 79A.80.030,~~  
28 ~~or~~) 79A.80.040;

29 (c) A daily charge not to exceed twenty dollars per person, per  
30 day, for access to a publicly owned ORV sports park, as defined in  
31 RCW 46.09.310, or other public facility accessed by a highway,  
32 street, or nonhighway road for the purposes of off-road vehicle use;  
33 and

34 (d) Payments to landowners for public access from state, local,  
35 or nonprofit organizations established under department of fish and  
36 wildlife cooperative public access agreements if the landowner does  
37 not charge a fee to access the land subject to the cooperative  
38 agreement.

1       **Sec. 3.** RCW 43.30.385 and 2014 c 32 s 2 are each amended to read  
2 as follows:

3       (1) The parkland trust revolving fund is to be utilized by the  
4 department for the purpose of acquiring real property, including all  
5 reasonable costs associated with these acquisitions, as a replacement  
6 for the property transferred to the state parks and recreation  
7 commission, as directed by the legislature in order to maintain the  
8 land base of the affected trusts or under RCW 79.22.060 and to  
9 receive voluntary contributions for the purpose of operating and  
10 maintaining public use and recreation facilities, including trails,  
11 managed by the department.

12       (2)(a) Proceeds from transfers of real property to the state  
13 parks and recreation commission or other proceeds identified from  
14 transfers of real property as directed by the legislature shall be  
15 deposited in the parkland trust revolving fund.

16       (b) Except as otherwise provided in this subsection, the proceeds  
17 from real property transferred or disposed under RCW 79.22.060 must  
18 be used solely to purchase replacement forestland, that must be  
19 actively managed as a working forest, within the same county as the  
20 property transferred or disposed. If the real property was  
21 transferred under RCW 79.22.060 (1)(c) and (2)(c) from within a  
22 county participating in the state forestland pool created under RCW  
23 79.22.140, replacement forestland may be located within any county  
24 participating in the land pool.

25       (c) Disbursement from the parkland trust revolving fund to  
26 acquire replacement property and for operating and maintaining public  
27 use and recreation facilities shall be on the authorization of the  
28 department.

29       (~~(d) The proceeds from the recreation access pass account  
30 created in RCW 79A.80.090 must be solely used for the purpose of  
31 operating and maintaining public use and recreation facilities,  
32 including trails, managed by the department.~~)

33       (3) In order to maintain an effective expenditure and revenue  
34 control, the parkland trust revolving fund is subject in all respects  
35 to chapter 43.88 RCW, but no appropriation is required to permit  
36 expenditures and payment of obligations from the fund.

37       (4) The department is authorized to solicit and receive voluntary  
38 contributions for the purpose of operating and maintaining public use  
39 and recreation facilities, including trails, managed by the  
40 department. The department may seek voluntary contributions from

1 individuals and organizations for this purpose. Voluntary  
2 contributions will be deposited into the parkland trust revolving  
3 fund and used solely for the purpose of public use and recreation  
4 facilities operations and maintenance. Voluntary contributions are  
5 not considered a fee for use of these facilities.

6 **Sec. 4.** RCW 46.01.140 and 2013 c 169 s 1 are each amended to  
7 read as follows:

8 (1) **County auditor/agent duties.** A county auditor or other agent  
9 appointed by the director must:

- 10 (a) Enter into a standard contract provided by the director;  
11 (b) Provide all services authorized by the director for vehicle  
12 certificates of title and vehicle registration applications and  
13 issuance under the direction and supervision of the director  
14 including, but not limited to:

- 15 (i) Processing reports of sale;  
16 (ii) Processing transitional ownership transactions;  
17 (iii) Processing mail-in vehicle registration renewals until  
18 directed otherwise by legislative authority;  
19 (iv) Issuing registrations and temporary ORV use permits for  
20 off-road vehicles as required under chapter 46.09 RCW;  
21 (v) Issuing registrations for snowmobiles as required under  
22 chapter 46.10 RCW; and  
23 (vi) Collecting fees and taxes as required(~~(~~  
24 ~~(c) If authorized by the director, offer for sale discover passes~~  
25 ~~as provided in chapter 79A.80 RCW)~~).

26 (2) **County auditor/agent assistants and subagents.** A county  
27 auditor or other agent appointed by the director may, with approval  
28 of the director:

29 (a) Appoint assistants as special deputies to accept applications  
30 for vehicle certificates of title and to issue vehicle registrations;  
31 and

32 (b) Recommend and request that the director appoint subagencies  
33 within the county to accept applications for vehicle certificates of  
34 title and vehicle registration application issuance.

35 (3) **Appointing subagents.** A county auditor or other agent  
36 appointed by the director who requests a subagency must, with  
37 approval of the director:

1 (a) Use an open competitive process including, but not limited  
2 to, a written business proposal and oral interview to determine the  
3 qualifications of all interested applicants; and

4 (b) Submit all proposals to the director with a recommendation  
5 for appointment of one or more subagents who have applied through the  
6 open competitive process. If a qualified successor who is an existing  
7 subagent's sibling, spouse, or child, or a subagency employee has  
8 applied, the county auditor must provide the name of the qualified  
9 successor and the name of one other applicant who is qualified and  
10 was chosen through the open competitive process.

11 (4) **Subagent duties.** A subagent appointed by the director must:

12 (a) Enter into a standard contract with the county auditor or  
13 agent provided by the director; and

14 (b) Provide all services authorized by the director for vehicle  
15 certificates of title and vehicle registration applications and  
16 issuance under the direction and supervision of the county auditor or  
17 agent and the director including, but not limited to:

18 (i) Processing reports of sale;

19 (ii) Processing transitional ownership transactions;

20 (iii) Mailing out vehicle registrations and replacement plates to  
21 internet payment option customers until directed otherwise by  
22 legislative authority;

23 (iv) Issuing registrations and temporary ORV use permits for  
24 off-road vehicles as required under chapter 46.09 RCW;

25 (v) Issuing registrations for snowmobiles as required under  
26 chapter 46.10 RCW; and

27 (vi) Collecting fees and taxes as required(~~(~~and~~~~

28 ~~(c) If authorized by the director, offer for sale discover passes~~  
29 ~~as provided in chapter 79A.80 RCW)).~~

30 (5) **Subagent successorship.** A subagent appointed by the director  
31 who no longer wants his or her appointment may recommend a successor  
32 who is the subagent's sibling, spouse, or child, or a subagency  
33 employee. The recommended successor must participate in the open  
34 competitive process used to select an applicant. In making successor  
35 recommendations and appointment determinations, the following  
36 provisions apply:

37 (a) If a subagency is held by a partnership or corporate entity,  
38 the nomination must be submitted on behalf of, and agreed to by, all  
39 partners or corporate officers;

1 (b) A subagent may not receive any direct or indirect  
2 compensation or remuneration from any party or entity in recognition  
3 of a successor nomination. A subagent may not receive any financial  
4 benefit from the transfer or termination of an appointment;

5 (c) The appointment of a successor is intended to assist in the  
6 efficient transfer of appointments to minimize public inconvenience.  
7 The appointment of a successor does not create a proprietary or  
8 property interest in the appointment;

9 (d) A subagent appointee who is planning to retire within twelve  
10 months may recommend a successor without resigning his or her  
11 appointment by submitting a letter of intent to retire with a  
12 successor recommendation to the county auditor or other agent  
13 appointed by the director. The county auditor or other agent  
14 appointed by the director shall, within sixty days, respond in  
15 writing to the subagent appointee indicating if the recommended  
16 successor would be considered in the open competitive process. If  
17 there are negative factors or deficiencies pertaining to the  
18 subagency operation or the recommended successor, the county auditor  
19 or other agent appointed by the director must state these factors in  
20 writing to the subagent appointee. The subagent appointee may  
21 withdraw the letter of intent to retire any time prior to the start  
22 of the open competitive process by writing to the county auditor or  
23 other agent appointed by the director and filing a copy with the  
24 director;

25 (e) A subagent appointee may name a recommended successor at any  
26 time during his or her appointment by notifying the county auditor or  
27 other agent appointed by the director in writing and filing a copy  
28 with the director. The purpose of this recommendation is for the  
29 county auditor or other agent appointed by the director to know the  
30 wishes of the subagent appointee in the event of the death or  
31 incapacitation of a sole subagent appointee or last remaining  
32 subagent appointee that could lead to the inability of the subagent  
33 to continue to fulfill the obligations of the appointment; and

34 (f) If the county auditor or other agent appointed by the  
35 director does not select the recommended successor for appointment as  
36 a result of the open competitive process, the county auditor or other  
37 agent appointed by the director must contact the subagent appointee  
38 by letter and explain the decision. The subagent appointee must be  
39 provided an opportunity to respond in writing. Any response by the

1 subagent appointee must be included in the open competitive process  
2 materials submitted to the department.

3 (6) **Standard contracts.** The standard contracts provided by the  
4 director in this section may include provisions that the director  
5 deems necessary to ensure that readily accessible and acceptable  
6 service is provided to the citizens of the state, including the full  
7 collection of fees and taxes. The standard contracts must include  
8 provisions that:

9 (a) Describe responsibilities and liabilities of each party  
10 related to service expectations and levels;

11 (b) Describe the equipment to be supplied by the department and  
12 equipment maintenance;

13 (c) Require specific types of insurance or bonds, or both, to  
14 protect the state against any loss of collected revenue or loss of  
15 equipment;

16 (d) Specify the amount of training that will be provided by each  
17 of the parties;

18 (e) Describe allowable costs that may be charged for vehicle  
19 registration activities as described in subsection (7) of this  
20 section; and

21 (f) Describe causes and procedures for termination of the  
22 contract, which may include mediation and binding arbitration.

23 (7) **County auditor/agent cost reimbursement.** A county auditor or  
24 other agent appointed by the director who does not cover expenses for  
25 services provided by the standard contract may submit to the  
26 department a request for cost-coverage moneys. The request must be  
27 submitted on a form developed by the department. The department must  
28 develop procedures to standardize and identify allowable costs and to  
29 verify whether a request is reasonable. Payment must be made on those  
30 requests found to be allowable from the licensing services account.

31 (8) **County auditor/agent revenue disbursement.** County revenues  
32 that exceed the cost of providing services described in the standard  
33 contract, calculated in accordance with the procedures in subsection  
34 (7) of this section, must be expended as determined by the county  
35 legislative authority during the process established by law for  
36 adoption of county budgets.

37 (9) **Appointment authority.** The director has final appointment  
38 authority for county auditors or other agents or subagents.

39 (10) **Rules.** The director may adopt rules to implement this  
40 section.



1       **Sec. 5.** RCW 46.16A.090 and 2012 c 261 s 9 are each amended to  
2 read as follows:

3       (1) The department, county auditor or other agent, or subagent  
4 appointed by the director must provide an opportunity for a vehicle  
5 owner to make a voluntary donation as provided in this section when  
6 applying for an initial or renewal vehicle registration.

7       (2) (a) A vehicle owner who registers a vehicle under this chapter  
8 may donate one dollar or more to the organ and tissue donation  
9 awareness account to promote the donation of organs and tissues under  
10 the uniform anatomical gift act as described in chapter 68.64 RCW.  
11 The donation of one or more dollars is voluntary and may be refused  
12 by the vehicle owner.

13       (b) The department, county auditor or other agent, or subagent  
14 appointed by the director must:

15       (i) Ask a vehicle owner applying for a vehicle registration if  
16 the owner would like to donate one dollar or more;

17       (ii) Inform a vehicle owner of the option for organ and tissue  
18 donations as required under RCW 46.20.113; and

19       (iii) Make information booklets or other informational material  
20 available regarding the importance of organ and tissue donations to  
21 vehicle owners.

22       (c) All reasonable costs associated with the creation of the  
23 donation program created under this section must be paid  
24 proportionally or by another agreement by a participating Washington  
25 state organ procurement organization established for organ and tissue  
26 donation awareness purposes by the Washington state organ procurement  
27 organizations. For the purposes of this section, "reasonable costs"  
28 and "Washington state organ procurement organization" have the same  
29 meaning as in RCW 68.64.010.

30       (3) The department must collect from a vehicle owner who pays a  
31 vehicle license fee under RCW 46.17.350(1) (a), (d) through (l), (n),  
32 (o), or (q) or who registers a vehicle under RCW 46.16A.455 with a  
33 declared gross weight of twelve thousand pounds or less a voluntary  
34 donation of five dollars. The donation may not be collected from any  
35 vehicle owner actively opting not to participate in the donation  
36 program. The department must ensure that the opt-out donation under  
37 this section is clear, visible, and prominently displayed in both  
38 paper and online vehicle registration renewals. Notification of  
39 intent to not participate in the donation program must be provided  
40 annually at the time of vehicle registration renewal. The donation

1 must be deposited in the state parks renewal and stewardship account  
2 established in RCW 79A.05.215 to be used for the operation and  
3 maintenance of state parks.

4 ~~((4) A vehicle owner who registers a vehicle under this chapter  
5 may purchase a discover pass for the price amount established in RCW  
6 79A.80.020. Purchase of a discover pass is voluntary by the vehicle  
7 owner. The discover pass fee must be deposited in the recreation  
8 access pass account created in RCW 79A.80.090. The department, county  
9 auditor, or other agent or subagent appointed by the director is not  
10 responsible for delivering a purchased discover pass to a motor  
11 vehicle owner. The agencies, as defined in RCW 79A.80.010, must  
12 deliver the purchased discover pass to a motor vehicle owner.))~~

13 **Sec. 6.** RCW 77.12.170 and 2017 3rd sp.s. c 8 s 3 are each  
14 amended to read as follows:

15 (1) There is established in the state treasury the state wildlife  
16 account which consists of moneys received from:

17 (a) Rentals or concessions of the department;

18 (b) The sale of real or personal property held for department  
19 purposes, unless the property is seized or recovered through a fish,  
20 shellfish, or wildlife enforcement action;

21 (c) The assessment of administrative penalties;

22 (d) The sale of licenses, permits, tags, and stamps required by  
23 chapters 77.32, 77.65, and 77.70 RCW and application fees;

24 (e) Fees for informational materials published by the department;

25 (f) Fees for personalized vehicle, Wild on Washington, and  
26 Endangered Wildlife license plates, Washington's Wildlife license  
27 plate collection, and Washington's fish license plate collection as  
28 provided in chapter 46.17 RCW;

29 (g) Articles or wildlife sold by the director under this title;

30 (h) Compensation for damage to department property or wildlife  
31 losses or contributions, gifts, or grants received under RCW  
32 77.12.320. However, this excludes fish and shellfish overages, and  
33 court-ordered restitution or donations associated with any fish,  
34 shellfish, or wildlife enforcement action, as such moneys must be  
35 deposited pursuant to RCW 77.15.425;

36 (i) Excise tax on anadromous game fish collected under chapter  
37 82.27 RCW;

38 (j) The department's share of revenues from auctions and raffles  
39 authorized by the commission;

1 (k) The sale of watchable wildlife decals under RCW 77.32.560;  
2 and

3 (1) (~~Moneys received from the recreation access pass account~~  
4 ~~created in RCW 79A.80.090 must be dedicated to stewardship,~~  
5 ~~operations, and maintenance of department lands used for public~~  
6 ~~recreation purposes; and~~

7 ~~(m))~~ Donations received by the director under RCW 77.12.039.

8 (2) State and county officers receiving any moneys listed in  
9 subsection (1) of this section shall deposit them in the state  
10 treasury to be credited to the state wildlife account.

11 **Sec. 7.** RCW 77.15.750 and 2011 c 320 s 20 are each amended to  
12 read as follows:

13 (1) A person is guilty of unlawful use of a department permit if  
14 the person:

15 (a) Violates any terms or conditions of the permit issued by the  
16 department or the director; or

17 (b) Violates any rule of the commission or the director  
18 applicable to the requirement for, issuance of, or use of the permit.

19 (2)(a) Permits covered under subsection (1) of this section  
20 include, but are not limited to, master hunter permits, crab pot  
21 removal permits and shellfish pot removal permits under RCW  
22 77.70.500, depredation permits, landowner hunting permits, commercial  
23 carp license permits, permits to possess or dispense beer or malt  
24 liquor pursuant to RCW 66.28.210, and permits to hold, sponsor, or  
25 attend an event requiring a banquet permit from the state liquor  
26 (~~control~~) and cannabis board.

27 (b) Permits excluded from subsection (1) of this section include  
28 (~~the discover pass created in RCW 79A.80.020,~~) the vehicle access  
29 pass created in RCW 79A.80.040, (~~the day-use permit created in RCW~~  
30 ~~79A.80.030,~~) commercial use or activity permits, noncommercial use  
31 or activity permits, parking permits, experimental fishery permits,  
32 trial commercial fishery permits, and scientific collection permits.

33 (3) Unlawful use of a department permit is a misdemeanor.

34 (4) A person is guilty of unlawful use of an experimental fishery  
35 permit or a trial commercial fishery permit if the person:

36 (a) Violates any terms or conditions of the permit issued by the  
37 department or the director; or

38 (b) Violates any rule of the commission or the director  
39 applicable to the issuance or use of the permit.

1 (5) Unlawful use of an experimental fishery permit or a trial  
2 commercial fishery permit is a gross misdemeanor.

3 (6) The definitions in this subsection apply throughout this  
4 section unless the context clearly requires otherwise.

5 (a) "Experimental fishery permit" means a permit issued by the  
6 director for either:

7 (i) An "emerging commercial fishery," defined as a fishery for a  
8 newly classified species for which the department has determined that  
9 there is a need to limit participation; or

10 (ii) An "expanding commercial fishery," defined as a fishery for  
11 a previously classified species in a new area, by a new method, or at  
12 a new effort level, for which the department has determined that  
13 there is a need to limit participation.

14 (b) "Trial commercial fishery permit" means a permit issued by  
15 the department for trial harvest of a newly classified species or  
16 harvest of a previously classified species in a new area or by a new  
17 means.

18 **Sec. 8.** RCW 77.32.010 and 2019 c 290 s 3 are each amended to  
19 read as follows:

20 (1) Except as otherwise provided in this chapter or department  
21 rule, a recreational license issued by the director is required to  
22 hunt, fish, or take wildlife or seaweed. A recreational fishing or  
23 shellfish license is not required for carp, freshwater smelt, and  
24 crawfish, and a hunting license is not required for bullfrogs.

25 (2) A pass or permit issued (~~under RCW 79A.80.020, 79A.80.030,~~  
26 ~~or 79A.80.040 is required to park or operate a motor vehicle on a~~  
27 ~~recreation site or lands, as defined in RCW 79A.80.010)) by the  
28 department is required to park a motor vehicle upon improved  
29 department access facilities.~~

30 (3) The commission may, by rule, indicate that a fishing permit  
31 issued to a nontribal member by the Colville Tribes shall satisfy the  
32 license requirements in subsection (1) of this section on the waters  
33 of Lake Rufus Woods and on the north shore of Lake Rufus Woods, and  
34 that a Colville Tribes tribal member identification card shall  
35 satisfy the license requirements in subsection (1) of this section on  
36 all waters of Lake Rufus Woods.

37 **Sec. 9.** RCW 79A.05.070 and 2012 c 261 s 8 are each amended to  
38 read as follows:

1 The commission may:

2 (1) Make rules and regulations for the proper administration of  
3 its duties;

4 (2) Accept any grants of funds made with or without a matching  
5 requirement by the United States, or any agency thereof, for purposes  
6 in keeping with the purposes of this chapter; accept gifts, bequests,  
7 devises and endowments for purposes in keeping with such purposes;  
8 enter into cooperative agreements with and provide for private  
9 nonprofit groups to use state park property and facilities to raise  
10 money to contribute gifts, grants, and support to the commission for  
11 the purposes of this chapter. The commission may assist the nonprofit  
12 group in a cooperative effort by providing necessary agency personnel  
13 and services, if available. However, none of the moneys raised may  
14 inure to the benefit of the nonprofit group, except in furtherance of  
15 its purposes to benefit the commission as provided in this chapter.  
16 The agency and the private nonprofit group must agree on the nature  
17 of any project to be supported by such gift or grant prior to the use  
18 of any agency property or facilities for raising money. Any such  
19 gifts may be in the form of recreational facilities developed or  
20 built in part or in whole for public use on agency property, provided  
21 that the facility is consistent with the purposes of the agency;

22 (3) Require certification by the commission of all parks and  
23 recreation workers employed in state aided or state controlled  
24 programs;

25 (4) Act jointly, when advisable, with the United States, any  
26 other state agencies, institutions, departments, boards, or  
27 commissions in order to carry out the objectives and responsibilities  
28 of this chapter;

29 (5) Grant franchises and easements for any legitimate purpose on  
30 parks or parkways, for such terms and subject to such conditions and  
31 considerations as the commission shall specify;

32 (6) Charge fees for services, utilities, and use of facilities as  
33 the commission shall deem proper. The commission may utilize  
34 unstaffed collection stations to collect any fees or distribute any  
35 permits necessary (~~for access to state parks, including discover~~  
36 ~~passes and day-use permits as those terms are defined in RCW~~  
37 ~~79A.80.010)). The commission may not charge a fee for general park  
38 access or parking;~~

39 (7) Enter into agreements whereby individuals or companies may  
40 rent undeveloped parks or parkway land for grazing, agricultural, or

1 mineral development purposes upon such terms and conditions as the  
2 commission shall deem proper, for a term not to exceed forty years;

3 (8) Determine the qualifications of and employ a director of  
4 parks and recreation who must receive a salary as fixed by the  
5 governor in accordance with the provisions of RCW 43.03.040 and  
6 determine the qualifications and salary of and employ such other  
7 persons as may be needed to carry out the provisions hereof; and

8 (9) Utilize such other powers as in the judgment of a majority of  
9 its members are deemed necessary to effectuate the purposes of this  
10 chapter. However, the commission does not have power to supervise  
11 directly any local park or recreation district, and no funds shall be  
12 made available for such purpose.

13 **Sec. 10.** RCW 79A.05.215 and 2011 c 320 s 22 are each amended to  
14 read as follows:

15 The state parks renewal and stewardship account is created in the  
16 state treasury. Except as otherwise provided in this chapter, all  
17 receipts from user fees, concessions, leases, donations collected  
18 under RCW 46.16A.090(3), and other state park-based activities shall  
19 be deposited into the account. (~~The proceeds from the recreation  
20 access pass account created in RCW 79A.80.090 must be used for the  
21 purpose of operating and maintaining state parks.~~) Expenditures from  
22 the account may be used for operating state parks, developing and  
23 renovating park facilities, undertaking deferred maintenance,  
24 enhancing park stewardship, and other state park purposes.  
25 Expenditures from the account may be made only after appropriation by  
26 the legislature.

27 **Sec. 11.** RCW 79A.80.010 and 2019 c 175 s 3 are each amended to  
28 read as follows:

29 The definitions in this section apply throughout this chapter  
30 unless the context clearly requires otherwise.

31 (1) "Agency" or "agencies" means the department of fish and  
32 wildlife, the department of natural resources, and the parks and  
33 recreation commission.

34 (2) "Annual natural investment permit" means the annual permit  
35 issued by the parks and recreation commission for the purpose of  
36 launching boats from the designated state parks boat launch sites.

37 (3) "Camper registration" means proof of payment of a camping fee  
38 on recreational lands managed by the parks and recreation commission.

1 (4) (~~"Day-use permit" means the permit created in RCW~~  
2 ~~79A.80.030.~~

3 ~~(5) "Discover pass" means the annual pass created in RCW~~  
4 ~~79A.80.020.~~

5 ~~(6))~~ "Motor vehicle" has the same meaning as defined in RCW  
6 46.04.320 and which are required to be registered under chapter  
7 46.16A RCW. "Motor vehicle" does not include those motor vehicles  
8 exempt from registration under RCW 46.16A.080, wheeled all-terrain  
9 vehicles registered for use under RCW 46.09.442, and state and  
10 publicly owned motor vehicles as provided in RCW 46.16A.170.

11 ~~((7) "Recreation site or lands" means a state park, state lands~~  
12 ~~and state forestlands as those terms are defined in RCW 79.02.010,~~  
13 ~~natural resources conservation areas as that term is defined in RCW~~  
14 ~~79.71.030, natural area preserves as that term is defined in RCW~~  
15 ~~79.70.020, and fish and wildlife conservation sites including water~~  
16 ~~access areas, boat ramps, wildlife areas, parking areas, roads, and~~  
17 ~~trailheads.~~

18 ~~(8))~~ (5) "Sno-park permit" means the permit issued by the parks  
19 and recreation commission for providing access to winter recreational  
20 facilities for the period of November 1st through March 31st.

21 ~~((9))~~ (6) "Vehicle access pass" means the pass created in RCW  
22 79A.80.040.

23 NEW SECTION. **Sec. 12.** Any residual balance of moneys remaining  
24 in the recreation access pass account, RCW 79A.80.090, repealed in  
25 section 13 of this act must be transferred to the state general fund  
26 on the effective date of section 13 of this act.

27 NEW SECTION. **Sec. 13.** The following acts or parts of acts are  
28 each repealed:

29 (1) RCW 46.01.370 (Authority to sell and distribute discover  
30 passes and day-use permits) and 2012 c 261 s 11;

31 (2) RCW 79A.80.020 (Discover pass) and 2017 c 121 s 1, 2013 2nd  
32 sp.s. c 15 s 1, 2012 c 261 s 2, & 2011 c 320 s 3;

33 (3) RCW 79A.80.030 (Day-use permit) and 2013 2nd sp.s. c 15 s 2,  
34 2012 c 261 s 3, & 2011 c 320 s 4;

35 (4) RCW 79A.80.050 (Valid camper registration/annual natural  
36 investment permit—Commission may provide free entry to state parks)  
37 and 2012 c 261 s 6 & 2011 c 320 s 6;

1           (5) RCW 79A.80.060 (Sno-park seasonal permit) and 2019 c 175 s 2  
2 & 2011 c 320 s 7;  
3           (6) RCW 79A.80.070 (Short-term parking) and 2011 c 320 s 8;  
4           (7) RCW 79A.80.080 (Pass/permit requirements—Penalty) and 2013  
5 2nd sp.s. c 15 s 3, 2012 c 261 s 7, & 2011 c 320 s 9;  
6           (8) RCW 79A.80.090 (Recreation access pass account) and 2017 3rd  
7 sp.s. c 1 s 988, 2016 sp.s. c 36 s 948, & 2011 c 320 s 10;  
8           (9) RCW 79A.80.100 (Purchase, return, replacement of discover  
9 passes and day-use permits) and 2012 c 261 s 4; and  
10           (10) RCW 79A.80.110 (Discounted passes—Bulk sales) and 2013 2nd  
11 sp.s. c 15 s 4.

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