

2SSB 5622 - H AMD 676

By Representative Hudgins

WITHDRAWN 04/21/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that there is an
4 increasing demand for outdoor recreation opportunities and conservation
5 measures on lands managed by the department of fish and wildlife, the
6 department of natural resources, and the state parks and recreation
7 commission. Development and maintenance of outdoor recreation
8 facilities and conservation of lands have not kept pace with this
9 demand. This demand, combined with shrinking resources for management,
10 has led to the degradation of our lands to the detriment of the
11 recreating public and efforts to conserve our natural resources.

12 (2) The legislature further finds that the recreating public cannot
13 readily discern which agency of the state is responsible for the
14 management of particular state lands or which policies apply to those
15 lands.

16 (3)(a) It is the intent of this act to reform and improve access to
17 and management of state lands on a sustainable basis for the recreating
18 public by: Providing a recreational pass and access policies for state
19 lands; recovering the cost incurred by the state for operations and
20 management of recreation opportunities; providing resources to address
21 the growing demand and impacts of outdoor recreationists and
22 conservation of our natural resources; and providing effective
23 education and enforcement of state land access policies.

24 (b) The legislature finds that the United States forest service
25 offers a Northwest forest pass that allows access to certain federal
26 lands managed by that agency. The Northwest forest pass program is
27 similar to the recreational access program established in this act and
28 serves as a successful model of recreational pass design,
29 implementation, and distribution. It is the intent of the legislature

1 for the agencies responsible for implementing this act to model the
2 implementation of this act, to the degree practicable, after the United
3 States forest service's Northwest forest pass model.

4 NEW SECTION. **Sec. 2.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Agency" or "agencies" means the department of fish and
7 wildlife, the department of natural resources, and the state parks and
8 recreation commission.

9 (2) "Day use permit" means the recreational lands access permit
10 created in section 4 of this act.

11 (3) "Discover pass" means the pass created in section 3 of this
12 act.

13 (4) "Recreational lands" means any designated or developed
14 recreation area or site managed by an agency for outdoor recreation or
15 fish and wildlife conservation including designated water access areas,
16 boat ramps and launches, wildlife areas, parking areas, roads,
17 trailheads, water trails, and other trails under ownership, management,
18 lease, or control of the agency.

19 (5) "Vehicle" has the same meaning as "motor vehicle" defined in
20 RCW 46.04.320 and which are required to be registered under chapter
21 46.16A RCW. The term "vehicle" does not include:

22 (a) An otherwise included motor vehicle if the vehicle is being
23 towed under the power of a motor vehicle satisfying the definition
24 provided in RCW 46.04.320;

25 (b) Those motor vehicles exempt from registration under RCW
26 46.16A.080; and

27 (c) State and publicly owned vehicles as provided in RCW
28 46.16A.170.

29 NEW SECTION. **Sec. 3.** (1) The discover pass is created as an
30 annual pass that is required, except as provided in sections 6 and 9 of
31 this act, to park or drive a vehicle on any recreational lands.

32 (2)(a) Except as provided in section 11 of this act, the cost of a
33 discover pass is thirty dollars.

34 (b) Every four years the office of financial management must review
35 the cost of a discover pass and, if necessary, recommend to the

1 legislature an adjustment to the cost of a discover pass to account for
2 inflation.

3 (3) A discover pass is valid for one year from the date of issuance
4 and must be designed so the expiration month can be designated at the
5 time of purchase.

6 (4) A discover pass must be made available for purchase as provided
7 in section 10 of this act.

8 (5) A complimentary discover pass must be provided to a volunteer
9 who performed twenty-four hours of service on agency-sanctioned
10 volunteer projects in one year. The agency must provide vouchers to
11 volunteers identifying the number of volunteer hours they have provided
12 for each project. The vouchers may be taken to an agency to be
13 redeemed for a discover pass.

14 (6) Except as otherwise specifically provided in statute, other
15 than providing the option for a day use permit under section 4 of this
16 act, the agencies may not require any additional payment for day use
17 noncommercial recreational access to recreational lands by individuals
18 or single vehicles. This subsection does not apply to special winter
19 recreational areas managed by the state parks and recreation commission
20 under chapter 79A.05 RCW, commercial activities or leases, consumptive
21 uses, events, rights of entry, or other activities or uses of
22 recreational lands not otherwise allowed to be accessed or used by the
23 holders of a discover pass.

24 NEW SECTION. **Sec. 4.** (1) A person may purchase a day use permit
25 that enables the holder to park or drive a vehicle on any recreational
26 lands without violating the requirements of section 5 of this act.

27 (2)(a) Except as otherwise provided in this section, the day use
28 permit is ten dollars.

29 (b) Every four years the office of financial management must review
30 the cost of a day use permit and, if necessary, recommend to the
31 legislature an adjustment to the cost of a day use permit to account
32 for inflation.

33 (3) Day use permits must be available for purchase as provided in
34 section 10 of this act.

35 NEW SECTION. **Sec. 5.** (1) Except as provided in section 6 of this

1 act, a discover pass or a day use permit must be visibly displayed in
2 the front windshield of any vehicle, or in plain sight on a vehicle
3 without a windshield when:

4 (a) Driving on recreational lands; or

5 (b) Parked on recreational lands.

6 (2) A discover pass or day use permit is not required on private
7 lands, state-owned aquatic lands other than water access areas, or at
8 agency offices, hatcheries, or other facilities where public business
9 is conducted.

10 (3) A discover pass or day use permit is not required for persons
11 who use, possess, or enter lands owned or managed by the agencies for
12 purposes consistent with a written authorization from the agency,
13 including but not limited to leases, state or federal contracts, and
14 easements.

15 (4) Failure to comply with subsection (1) of this section is a
16 natural resource infraction under chapter 7.84 RCW. An agency is
17 authorized to issue a notice of infraction to any person who fails to
18 comply with subsection (1)(a) of this section or to any vehicle that
19 fails to comply with subsection (1)(b) of this section.

20 (5) The penalty for failure to comply with the requirements of this
21 section is ninety-nine dollars. This penalty is reduced to fifty-nine
22 dollars if an individual provides proof of purchase of a discover pass
23 to the court within fifteen days after the issuance of the notice of
24 violation.

25 NEW SECTION. **Sec. 6.** (1) A discover pass or a day use permit are
26 not required for persons who display proof of payment of a camping fee
27 collected by the state parks and recreation commission under chapter
28 79A.05 RCW for the day preceding and the day following the night or
29 nights of camping designated on the proof of payment.

30 (2) A discover pass or day use permit is not required to park in
31 designated winter recreational area parking spaces identified in RCW
32 79A.05.225 between November 1st through March 31st and are not valid
33 substitutes for special winter recreational parking permits issued
34 under RCW 79A.05.230.

35 (3) The state parks and recreation commission must provide twelve
36 days a year where a vehicle may enter upon or park at a state park

1 without having to purchase or display a discover pass or day use
2 permit. At least three of those days must be on weekends.

3 NEW SECTION. **Sec. 7.** (1) The recreation access pass account is
4 created in the state treasury. All moneys received from the sale of
5 discover passes created in section 3 of this act and day use permits
6 created in section 4 of this act must be deposited into the account.

7 (2) Except as otherwise provided in this section, each fiscal
8 biennium, the first seventy-one million dollars in revenue must be
9 distributed to the agencies in the following manner:

10 (a) Eight percent to the department of fish and wildlife and
11 deposited into the state wildlife account created in RCW 77.12.170;

12 (b) Eight percent to the department of natural resources and
13 deposited into the park land trust revolving fund created in RCW
14 43.30.385; and

15 (c) Eighty-four percent to the state parks and recreation
16 commission and deposited into the state parks renewal and stewardship
17 account created in RCW 79A.05.215.

18 (3) Each fiscal biennium, revenues in excess of seventy-one million
19 dollars must be distributed equally among the agencies to the accounts
20 identified in subsection (2) of this section.

21 (4) Revenues distributed from the recreation access pass account
22 may only be used by the agencies for the following purposes:

23 (a) Operating, maintaining, providing stewardship of, and
24 administering recreational lands and public access to public lands,
25 including criminal and civil law enforcement; and

26 (b) Securing public access to land owned by an agency that does not
27 have direct public access, or to fishing and hunting areas located on,
28 or requiring access through, private lands.

29 (5) Prior to distributing revenue to the agencies under this
30 section, the state parks and recreation commission must be reimbursed
31 for the costs of producing, marketing, and distributing discover passes
32 and day use permits under section 8 of this act.

33 NEW SECTION. **Sec. 8.** Administration of this chapter, including
34 the production, marketing, and distribution of discover passes and day
35 use permits to private vendors and other sales locations, is the
36 primary responsibility of the state parks and recreation commission.

1 NEW SECTION. **Sec. 9.** Each agency must, where applicable,
2 designate a short-term parking area on recreational lands that allows
3 a vehicle to park on the recreational lands for up to fifteen minutes
4 without having to display a discover pass or day use permit.

5 NEW SECTION. **Sec. 10.** (1) Discover passes and day use permits may
6 be made available for purchase:

7 (a) Through private sector vendors under contract with the state
8 parks and recreation commission;

9 (b) Directly from the state parks and recreation commission, both
10 through that agency's parks reservation system, directly from agency
11 employees or volunteers at staffed state parks, or as otherwise
12 provided in RCW 79A.05.070;

13 (c) At state liquor stores and contract liquor stores, as that term
14 is defined in RCW 66.04.010;

15 (d) From the department of licensing as provided in RCW 46.01.140
16 and section 32 of this act;

17 (e) From other outlets authorized by law to sell state licenses,
18 permits, or passes; and

19 (f) Consistent with RCW 77.32.050, through the department of fish
20 and wildlife's automated licensing system.

21 (2) The department of fish and wildlife's automated licensing
22 system is only one option for the sale of discover passes and day use
23 permits. Only discover passes and day use permits purchased in the
24 same transaction with licenses or permits issued under Title 77 RCW are
25 required to be sold through the automated licensing system and assessed
26 a transaction fee paid by the purchaser.

27 (3) Once purchased, a discover pass may not be returned and the
28 purchase price may not be refunded. Replacements for lost or stolen
29 discover passes may only be provided at full cost as provided in
30 sections 3 and 4 of this act.

31 NEW SECTION. **Sec. 11.** A new section is added to chapter 77.32 RCW
32 to read as follows:

33 (1) The department must make a discover pass available for purchase
34 to any person who, in the same transaction, also purchases one of the
35 following:

36 (a) A big game hunting license issued under RCW 77.32.450;

1 (b) A small game hunting license issued under RCW 77.32.460;

2 (c) A western Washington pheasant permit issued under RCW
3 77.32.575;

4 (d) A trapping license issued under RCW 77.65.450;

5 (e) A watchable wildlife decal issued under RCW 77.32.560; or

6 (f) A combination, saltwater, or freshwater personal use fishing
7 license issued under RCW 77.32.470.

8 (2) The cost of a discover pass, when purchased during the same
9 transaction as an item identified in subsection (1) of this section, is
10 fifty percent of the cost of a discover pass as established in section
11 3 of this act.

12 (3) Only one discounted discover pass may be issued per
13 transaction. Additional discover passes, as well as discover passes
14 and day use permits sold to an individual purchasing an item other than
15 those identified in subsection (1) of this section, may be purchased
16 for the amount established in section 3 of this act.

17 (4) The fees collected for all discover passes and day use permits
18 purchased under this section must be deposited in the recreation access
19 pass account created in section 7 of this act.

20 (5) For the purposes of this section and unless the context clearly
21 requires otherwise, the terms "discover pass" and "day use permit" have
22 the same meaning as provided in section 2 of this act.

23 **Sec. 12.** RCW 4.24.210 and 2006 c 212 s 6 are each amended to read
24 as follows:

25 (1) Except as otherwise provided in subsection (3) or (4) of this
26 section, any public or private landowners or others in lawful
27 possession and control of any lands whether designated resource, rural,
28 or urban, or water areas or channels and lands adjacent to such areas
29 or channels, who allow members of the public to use them for the
30 purposes of outdoor recreation, which term includes, but is not limited
31 to, the cutting, gathering, and removing of firewood by private persons
32 for their personal use without purchasing the firewood from the
33 landowner, hunting, fishing, camping, picnicking, swimming, hiking,
34 bicycling, skateboarding or other nonmotorized wheel-based activities,
35 hanggliding, paragliding, rock climbing, the riding of horses or other
36 animals, clam digging, pleasure driving of off-road vehicles,
37 snowmobiles, and other vehicles, boating, nature study, winter or water

1 sports, viewing or enjoying historical, archaeological, scenic, or
2 scientific sites, without charging a fee of any kind therefor, shall
3 not be liable for unintentional injuries to such users.

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

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

16 (4) Nothing in this section shall prevent the liability of a
17 landowner or others in lawful possession and control for injuries
18 sustained to users by reason of a known dangerous artificial latent
19 condition for which warning signs have not been conspicuously posted.
20 A fixed anchor used in rock climbing and put in place by someone other
21 than a landowner is not a known dangerous artificial latent condition
22 and a landowner under subsection (1) of this section shall not be
23 liable for unintentional injuries resulting from the condition or use
24 of such an anchor. Nothing in RCW 4.24.200 and this section limits or
25 expands in any way the doctrine of attractive nuisance. Usage by
26 members of the public, volunteer groups, or other users is permissive
27 and does not support any claim of adverse possession.

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

29 (a) A license or permit issued for statewide use under authority of
30 chapter 79A.05 RCW or Title 77 RCW; (~~and~~)

31 (b) A discover pass or day use permit issued under section 3 or 4
32 of this act; and

33 (c) A daily charge not to exceed twenty dollars per person, per
34 day, for access to a publicly owned ORV sports park, as defined in RCW
35 (~~46.09.020~~) 46.09.310, or other public facility accessed by a
36 highway, street, or nonhighway road for the purposes of off-road
37 vehicle use.

1 **Sec. 17.** RCW 77.15.020 and 2005 c 321 s 2 are each amended to read
2 as follows:

3 (1) If the commission or director has authority to adopt a rule
4 that is punishable as a crime under this chapter, then the commission
5 or director may provide that violation of the rule shall be punished
6 with notice of infraction under RCW 7.84.030. Neither the commission
7 nor the director have the authority to adopt a rule providing that a
8 violation punishable as an infraction shall be a crime.

9 (2) The director may, under the provisions of section 13 of this
10 act, enter into an agreement allowing employees of the state parks and
11 recreation commission and the department of natural resources to
12 enforce certain civil and natural resources infractions created under
13 this title and chapter 79A.--- RCW (the new chapter created in section
14 33 of this act).

15 **Sec. 18.** RCW 77.32.560 and 2009 c 333 s 42 are each amended to
16 read as follows:

17 (1) The department may sell watchable wildlife decals. Proceeds
18 from the sale of the decal must be deposited into the state wildlife
19 account created in RCW 77.12.170 and must be dedicated to the support
20 of the department's watchable wildlife activities. The department may
21 also use proceeds from the sale of the decal for marketing the decal
22 and for marketing watchable wildlife activities in the state.

23 (2) The term "watchable wildlife activities" includes but is not
24 limited to: Initiating partnerships with communities to jointly
25 develop watchable wildlife projects, building infrastructure to serve
26 wildlife viewers, assisting and training communities in conducting
27 wildlife watching events, developing destination wildlife viewing
28 corridors and trails, tours, maps, brochures, and travel aides, and
29 offering grants to assist rural communities in identifying key wildlife
30 attractions and ways to protect and promote them.

31 (3) The commission must adopt by rule the cost of the watchable
32 wildlife decal. A person may, at their discretion, contribute more
33 than the cost as set by the commission by rule for the watchable
34 wildlife decal in order to support watchable wildlife activities. (~~A~~
35 ~~person who purchases a watchable wildlife decal must be issued one~~
36 ~~vehicle use permit free of charge.))~~

1 **Sec. 19.** RCW 77.32.010 and 2009 c 564 s 956 are each amended to
2 read as follows:

3 (1) Except as otherwise provided in this chapter, a recreational
4 license issued by the director is required to hunt for or take wild
5 animals or wild birds, fish for, take, or harvest fish, shellfish, and
6 seaweed. A recreational fishing or shellfish license is not required
7 for carp, smelt, and crawfish, and a hunting license is not required
8 for bullfrogs.

9 (2) A discover pass or day use permit issued ((by the department is
10 required to park a motor vehicle upon improved department access
11 facilities)) under section 3 or 4 of this act is required to access,
12 park a vehicle on, or drive a vehicle on recreational lands managed by
13 the department, as the term "recreational lands" is defined in section
14 2 of this act.

15 (3) During the 2009-2011 fiscal biennium to enable the
16 implementation of the pilot project established in section 307, chapter
17 329, Laws of 2008, a fishing permit issued to a nontribal member by the
18 Colville Tribes shall satisfy the license requirements in subsection
19 (1) of this section on the waters of Lake Rufus Woods and on the north
20 shore of Lake Rufus Woods, and a Colville Tribes tribal member
21 identification card shall satisfy the license requirements in
22 subsection (1) of this section on all waters of Lake Rufus Woods.

23 **Sec. 20.** RCW 77.15.750 and 2010 c 193 s 9 are each amended to read
24 as follows:

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

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

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

31 (2)(a) Permits covered under subsection (1) of this section
32 include, but are not limited to, master hunter permits, crab pot
33 removal permits and shellfish pot removal permits under RCW 77.70.500,
34 depredation permits, landowner hunting permits, commercial carp license
35 permits, permits to possess or dispense beer or malt liquor pursuant to
36 RCW 66.28.210, and permits to hold, sponsor, or attend an event
37 requiring a banquet permit from the liquor control board.

1 (b) Permits excluded from subsection (1) of this section include
2 (~~(fish and wildlife lands vehicle use permits)~~) the discover pass
3 created in section 3 of this act, the day use permit created in section
4 4 of this act, commercial use or activity permits, noncommercial use or
5 activity permits, parking permits, experimental fishery permits, trial
6 commercial fishery permits, and scientific collection permits.

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

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

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

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

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

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

18 (a) "Experimental fishery permit" means a permit issued by the
19 director for either:

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

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

27 (b) "Trial commercial fishery permit" means a permit issued by the
28 department for trial harvest of a newly classified species or harvest
29 of a previously classified species in a new area or by a new means.

30 **Sec. 21.** RCW 43.30.385 and 2009 c 354 s 9 are each amended to read
31 as follows:

32 (1)(a) The park land trust revolving fund is to be utilized by the
33 department for the purpose of acquiring real property, including all
34 reasonable costs associated with these acquisitions, as a replacement
35 for the property transferred to the state parks and recreation
36 commission, as directed by the legislature in order to maintain the
37 land base of the affected trusts or under RCW 79.22.060 and to receive

1 voluntary contributions for the purpose of operating and maintaining
2 public use and recreation facilities, including trails, managed by the
3 department. Proceeds from transfers of real property to the state
4 parks and recreation commission or other proceeds identified from
5 transfers of real property as directed by the legislature shall be
6 deposited in this fund. Disbursement from the park land trust
7 revolving fund to acquire replacement property and for operating and
8 maintaining public use and recreation facilities shall be on the
9 authorization of the department.

10 (b) The proceeds from real property transferred or disposed under
11 RCW 79.22.060 must be solely used to purchase replacement forest land,
12 that must be actively managed as a working forest, within the same
13 county as the property transferred or disposed.

14 (c) The proceeds from the recreation access pass account created in
15 section 7 of this act may only be used for the purposes provided in
16 section 7 of this act.

17 (d) In order to maintain an effective expenditure and revenue
18 control, the park land trust revolving fund is subject in all respects
19 to chapter 43.88 RCW, but no appropriation is required to permit
20 expenditures and payment of obligations from the fund.

21 (2) The department is authorized to solicit and receive voluntary
22 contributions for the purpose of operating and maintaining public use
23 and recreation facilities, including trails, managed by the department.
24 The department may seek voluntary contributions from individuals and
25 organizations for this purpose. Voluntary contributions will be
26 deposited into the park land trust revolving fund and used solely for
27 the purpose of public use and recreation facilities operations and
28 maintenance. Voluntary contributions are not considered a fee for use
29 of these facilities.

30 **Sec. 22.** RCW 79A.05.215 and 2010 c 161 s 1164 are each amended to
31 read as follows:

32 (1) The state parks renewal and stewardship account is created in
33 the state treasury. Except as otherwise provided in this chapter, all
34 receipts from user fees, concessions, leases, donations collected under
35 RCW 46.16A.090(3), and other state park-based activities shall be
36 deposited into the account.

1 (2)(a) Except for the proceeds from the recreation access pass
2 account created in section 7 of this act, expenditures from the account
3 may be used for operating state parks, developing and renovating park
4 facilities, undertaking deferred maintenance, enhancing park
5 stewardship, and other state park purposes.

6 (b) The proceeds from the recreation access pass account created in
7 section 7 of this act must be used for the purposes identified in
8 section 7 of this act.

9 (c) Expenditures from the account may be made only after
10 appropriation by the legislature.

11 **Sec. 23.** RCW 77.12.170 and 2009 c 333 s 13 are each amended to
12 read as follows:

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

15 (a) Rentals or concessions of the department;

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

19 (c) The assessment of administrative penalties, and the sale of
20 licenses, permits, tags, and stamps required by chapter 77.32 RCW and
21 RCW 77.65.490, except annual resident adult saltwater and all annual
22 razor clam and shellfish licenses, which shall be deposited into the
23 state general fund;

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

25 (e) Fees for personalized vehicle, Wild on Washington, and
26 Endangered Wildlife license plates and Washington's Wildlife license
27 plate collection as provided in chapter (~~46.16~~) 46.17 RCW;

28 (f) Articles or wildlife sold by the director under this title;

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

35 (h) Excise tax on anadromous game fish collected under chapter
36 82.27 RCW;

1 (i) The department's share of revenues from auctions and raffles
2 authorized by the commission; and

3 (j) The sale of watchable wildlife decals under RCW 77.32.560.

4 (2) Moneys received from the recreation access pass account created
5 in section 7 of this act may only be used for the purposes identified
6 in section 7 of this act.

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

10 **Sec. 24.** RCW 79A.05.070 and 2006 c 141 s 1 are each amended to
11 read as follows:

12 The commission may:

13 (1) Make rules and regulations for the proper administration of its
14 duties;

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

33 (3) Require certification by the commission of all parks and
34 recreation workers employed in state aided or state controlled
35 programs;

36 (4) Act jointly, when advisable, with the United States, any other

1 state agencies, institutions, departments, boards, or commissions in
2 order to carry out the objectives and responsibilities of this chapter;

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

6 (6) Charge (~~such~~) fees for services, utilities, and use of
7 facilities, except for facilities allowed to be accessed and used by
8 the holder of a discover pass or day use permit under chapter 79A.---
9 RCW (the new chapter created in section 33 of this act), as the
10 commission shall deem proper. (~~The commission may not charge fees for~~
11 ~~general park access or parking~~) If deemed appropriate by the
12 commission, the commission may utilize unstaffed collection stations to
13 collect any fees or distribute any permits necessary for access to
14 state parks;

15 (7) Enter into agreements whereby individuals or companies may rent
16 undeveloped parks or parkway land for grazing, agricultural, or mineral
17 development purposes upon such terms and conditions as the commission
18 shall deem proper, for a term not to exceed forty years;

19 (8) Determine the qualifications of and employ a director of parks
20 and recreation who shall receive a salary as fixed by the governor in
21 accordance with the provisions of RCW 43.03.040 and determine the
22 qualifications and salary of and employ such other persons as may be
23 needed to carry out the provisions hereof; and

24 (9) (~~Without being limited to the powers hereinbefore enumerated,~~
25 ~~the commission shall have~~) Utilize such other powers as in the
26 judgment of a majority of its members are deemed necessary to
27 effectuate the purposes of this chapter(~~:- PROVIDED, That~~). However,
28 the commission (~~shall~~) does not have power to supervise directly any
29 local park or recreation district, and no funds shall be made available
30 for such purpose.

31 **Sec. 25.** RCW 66.16.010 and 2005 c 518 s 935 are each amended to
32 read as follows:

33 (1) There shall be established at such places throughout the state
34 as the liquor control board, constituted under this title, shall deem
35 advisable, stores to be known as "state liquor stores," for the sale of
36 liquor in accordance with the provisions of this title and the
37 regulations: PROVIDED, That the prices of all liquor shall be fixed by

1 the board from time to time so that the net annual revenue received by
2 the board therefrom shall not exceed thirty-five percent. Effective no
3 later than July 1, 2005, the liquor control board shall add an
4 equivalent surcharge of \$0.42 per liter on all retail sales of spirits,
5 excluding licensee, military, and tribal sales. The intent of this
6 surcharge is to raise revenue for the general fund-state for the 2003-
7 2005 and 2005-2007 bienniums. The board shall remove the surcharge
8 June 30, 2007.

9 (2) The liquor control board may, from time to time, fix the
10 special price at which pure ethyl alcohol may be sold to physicians and
11 dentists and institutions regularly conducted as hospitals, for use or
12 consumption only in such hospitals; and may also fix the special price
13 at which pure ethyl alcohol may be sold to schools, colleges and
14 universities within the state for use for scientific purposes.
15 Regularly conducted hospitals may have right to purchase pure ethyl
16 alcohol on a federal permit.

17 (3) The liquor control board may also fix the special price at
18 which pure ethyl alcohol may be sold to any department, branch or
19 institution of the state of Washington, federal government, or to any
20 person engaged in a manufacturing or industrial business or in
21 scientific pursuits requiring alcohol for use therein.

22 (4) The liquor control board may also fix a special price at which
23 pure ethyl alcohol may be sold to any private individual, and shall
24 make regulations governing such sale of alcohol to private individuals
25 as shall promote, as nearly as may be, the minimum purchase of such
26 alcohol by such persons.

27 (5) The liquor control board shall provide for the sale of discover
28 passes and day use permits, as those terms are defined in section 2 of
29 this act, at state liquor stores at the prices established in sections
30 3 and 4 of this act. Discover passes and day use permits may also be
31 made available for purchase at contract liquor stores. Any amounts
32 collected by the liquor control board through the sales of discover
33 passes and day use permits must be deposited in the recreation access
34 pass account created in section 7 of this act.

35 **Sec. 26.** RCW 79A.05.225 and 1999 c 249 s 1401 are each amended to
36 read as follows:

1 (1) In addition to its other powers, duties, and functions the
2 commission may:

3 ((+1)) (a) Plan, construct, and maintain suitable facilities for
4 winter recreational activities on lands administered or acquired by the
5 commission or as authorized on lands administered by other public
6 agencies or private landowners by agreement;

7 ((+2)) (b) Provide and issue upon payment of the proper fee, under
8 RCW 79A.05.230, 79A.05.240, and 46.61.585, with the assistance of such
9 authorized agents as may be necessary for the convenience of the
10 public, special permits to park in designated winter recreational area
11 parking spaces;

12 ((+3)) (c) Administer the snow removal operations for all
13 designated winter recreational area parking spaces; and

14 ((+4)) (d) Compile, publish, and distribute maps indicating such
15 parking spaces, adjacent trails, and areas and facilities suitable for
16 winter recreational activities.

17 (2) The commission may contract with any public or private agency
18 for the actual conduct of ((such)) the duties outlined in this section,
19 but shall remain responsible for the proper administration ((thereof))
20 of those duties.

21 (3) The commission must require the winter recreation program and
22 its services to be self-supported solely through permit fees, gifts,
23 grants, donations, and other revenues dedicated to the winter
24 recreational program account in RCW 79A.05.235 and the snowmobile
25 account in RCW 46.68.350.

26 (4)(a) The commission is not liable for unintentional injuries to
27 users of lands administered for winter recreation purposes under this
28 section or under RCW ((46.10.210)) 46.10.370, whether the lands are
29 administered by the commission, by other public agencies, or by private
30 landowners through agreement with the commission. Nothing in this
31 section prevents the liability of the commission for injuries sustained
32 by a user by reason of a known dangerous artificial latent condition
33 for which warning signs have not been conspicuously posted.

34 (b) A road covered with snow and groomed for the purposes of winter
35 recreation consistent with this chapter and chapter 46.10 RCW shall not
36 be presumed to be a known dangerous artificial latent condition for the
37 purposes of this chapter.

1 **Sec. 27.** RCW 36.38.010 and 1999 c 165 s 20 are each amended to
2 read as follows:

3 (1) Any county may by ordinance enacted by its county legislative
4 authority, levy and fix a tax of not more than one cent on twenty cents
5 or fraction thereof to be paid for county purposes by persons who pay
6 an admission charge to any place, including a tax on persons who are
7 admitted free of charge or at reduced rates to any place for which
8 other persons pay a charge or a regular higher charge for the same or
9 similar privileges or accommodations; and require that one who receives
10 any admission charge to any place shall collect and remit the tax to
11 the county treasurer of the county(~~(+—PROVIDED,)~~). However, no county
12 shall impose such tax on persons paying an admission to any activity of
13 any elementary or secondary school, recreational lands as that term is
14 defined in section 2 of this act, or any public facility of a public
15 facility district under chapter 35.57 or 36.100 RCW for which a tax is
16 imposed under RCW 35.57.100 or 36.100.210.

17 (2) As used in this chapter, the term "admission charge" includes
18 a charge made for season tickets or subscriptions, a cover charge, or
19 a charge made for use of seats and tables, reserved or otherwise, and
20 other similar accommodations; a charge made for food and refreshments
21 in any place where any free entertainment, recreation, or amusement is
22 provided; a charge made for rental or use of equipment or facilities
23 for purpose of recreation or amusement, and where the rental of the
24 equipment or facilities is necessary to the enjoyment of a privilege
25 for which a general admission is charged, the combined charges shall be
26 considered as the admission charge. It shall also include any
27 automobile parking charge where the amount of such charge is determined
28 according to the number of passengers in any automobile.

29 (3) Subject to subsections (4) and (5) of this section, the tax
30 herein authorized shall not be exclusive and shall not prevent any city
31 or town within the taxing county, when authorized by law, from imposing
32 within its corporate limits a tax of the same or similar kind:
33 PROVIDED, That whenever the same or similar kind of tax is imposed by
34 any such city or town, no such tax shall be levied within the corporate
35 limits of such city or town by the county.

36 (4) Notwithstanding subsection (3) of this section, the legislative
37 authority of a county with a population of one million or more may
38 exclusively levy taxes on events in baseball stadiums constructed on or

1 after January 1, 1995, that are owned by a public facilities district
2 under chapter 36.100 RCW and that have seating capacities over forty
3 thousand at the rates of:

4 (a) Not more than one cent on twenty cents or fraction thereof, to
5 be used for the purpose of paying the principal and interest payments
6 on bonds issued by a county to construct a baseball stadium as defined
7 in RCW 82.14.0485. If the revenue from the tax exceeds the amount
8 needed for that purpose, the excess shall be placed in a contingency
9 fund which may only be used to pay unanticipated capital costs on the
10 baseball stadium, excluding any cost overruns on initial construction;
11 and

12 (b) Not more than one cent on twenty cents or fraction thereof, to
13 be used for the purpose of paying the principal and interest payments
14 on bonds issued by a county to construct a baseball stadium as defined
15 in RCW 82.14.0485. The tax imposed under this subsection (4)(b) shall
16 expire when the bonds issued for the construction of the baseball
17 stadium are retired, but not later than twenty years after the tax is
18 first collected.

19 (5) Notwithstanding subsection (3) of this section, the legislative
20 authority of a county that has created a public stadium authority to
21 develop a stadium and exhibition center under RCW 36.102.050 may levy
22 and fix a tax on charges for admission to events in a stadium and
23 exhibition center, as defined in RCW 36.102.010, constructed in the
24 county on or after January 1, 1998, that is owned by a public stadium
25 authority under chapter 36.102 RCW. The tax shall be exclusive and
26 shall preclude the city or town within which the stadium and exhibition
27 center is located from imposing a tax of the same or similar kind on
28 charges for admission to events in the stadium and exhibition center,
29 and shall preclude the imposition of a general county admissions tax on
30 charges for admission to events in the stadium and exhibition center.
31 For the purposes of this subsection, "charges for admission to events"
32 means only the actual admission charge, exclusive of taxes and service
33 charges and the value of any other benefit conferred by the admission.
34 The tax authorized under this subsection shall be at the rate of not
35 more than one cent on ten cents or fraction thereof. Revenues
36 collected under this subsection shall be deposited in the stadium and
37 exhibition center account under RCW 43.99N.060 until the bonds issued
38 under RCW 43.99N.020 for the construction of the stadium and exhibition

1 center are retired. After the bonds issued for the construction of the
2 stadium and exhibition center are retired, the tax authorized under
3 this section shall be used exclusively to fund repair, reequipping, and
4 capital improvement of the stadium and exhibition center. The tax
5 under this subsection may be levied upon the first use of any part of
6 the stadium and exhibition center but shall not be collected at any
7 facility already in operation as of July 17, 1997.

8 **Sec. 28.** RCW 35.21.280 and 2002 c 363 s 5 are each amended to read
9 as follows:

10 (1) Every city and town may levy and fix a tax of not more than one
11 cent on twenty cents or fraction thereof to be paid by the person who
12 pays an admission charge to any place(~~(~~PROVIDED,~~)~~). However, no
13 city or town shall impose such tax on persons paying an admission to
14 any activity of any elementary or secondary school, recreational lands
15 as that term is defined in section 2 of this act, or any public
16 facility of a public facility district under chapter 35.57 or 36.100
17 RCW for which a tax is imposed under RCW 35.57.100 or 36.100.210,
18 except the city or town may impose a tax on persons paying an admission
19 to any activity of such public facility if the city or town uses the
20 admission tax revenue it collects on the admission charges to that
21 public facility for the construction, operation, maintenance, repair,
22 replacement, or enhancement of that public facility or to develop,
23 support, operate, or enhance programs in that public facility.

24 (2) Tax authorization under this section includes a tax on persons
25 who are admitted free of charge or at reduced rates to any place for
26 which other persons pay a charge or a regular higher charge for the
27 same privileges or accommodations. A city that is located in a county
28 with a population of one million or more may not levy a tax on events
29 in stadia constructed on or after January 1, 1995, that are owned by a
30 public facilities district under chapter 36.100 RCW and that have
31 seating capacities over forty thousand. The city or town may require
32 anyone who receives payment for an admission charge to collect and
33 remit the tax to the city or town.

34 (3) The term "admission charge" includes:

35 (a) A charge made for season tickets or subscriptions;

36 (b) A cover charge, or a charge made for use of seats and tables
37 reserved or otherwise, and other similar accommodations;

1 (c) A charge made for food and refreshment in any place where free
2 entertainment, recreation or amusement is provided;

3 (d) A charge made for rental or use of equipment or facilities for
4 purposes of recreation or amusement; if the rental of the equipment or
5 facilities is necessary to the enjoyment of a privilege for which a
6 general admission is charged, the combined charges shall be considered
7 as the admission charge;

8 (e) Automobile parking charges if the amount of the charge is
9 determined according to the number of passengers in the automobile.

10 **Sec. 29.** RCW 77.32.070 and 2008 c 244 s 1 are each amended to read
11 as follows:

12 (1) Applicants for a license, permit, tag, or stamp shall furnish
13 the information required by the director. However, the director may
14 not require the purchaser of a razor clam license under RCW 77.32.520,
15 a discover pass under section 3 of this act, or a day use permit under
16 section 4 of this act to provide any personal information except for,
17 when appropriate, proof of residency. The commission may adopt rules
18 requiring licensees or permittees to keep records and make reports
19 concerning the taking of or effort to harvest fish, shellfish, and
20 wildlife. The reporting requirement may be waived where, for any
21 reason, the department is not able to receive the report. The
22 department must provide reasonable options for a licensee to submit
23 information to a live operator prior to the reporting deadline.

24 (2) The commission may, by rule, set an administrative penalty for
25 failure to comply with rules requiring the reporting of taking or
26 effort to harvest wildlife. The commission may also adopt rules
27 requiring hunters who have not reported for the previous license year
28 to complete a report and pay the assessed administrative penalty before
29 a new hunting license is issued.

30 (a) The total administrative penalty per hunter set by the
31 commission must not exceed ten dollars.

32 (b) By December 31st of each year, the department shall report the
33 rate of hunter compliance with the harvest reporting requirement, the
34 administrative penalty imposed for failing to report, and the amount of
35 administrative penalties collected during that year to the appropriate
36 fiscal and policy committees of the senate and house of
37 representatives.

1 (3) The commission may, by rule, set an administrative penalty for
2 failure to comply with rules requiring the reporting of data from catch
3 record cards officially endorsed for Puget Sound Dungeness crab. The
4 commission may also adopt rules requiring fishers who possessed a catch
5 record card officially endorsed for Puget Sound Dungeness crab and who
6 have not reported for the previous license year to complete a report
7 and pay the assessed administrative penalty before a new catch record
8 card officially endorsed for Puget Sound Dungeness crab is issued.

9 (a) The total administrative penalty per fisher set by the
10 commission must not exceed ten dollars.

11 (b) By December 31st of each year, the department shall report the
12 rate of fisher compliance with the Puget Sound Dungeness crab catch
13 record card reporting requirement, the administrative penalty imposed
14 for failing to report, and the amount of administrative penalties
15 collected during that year to the appropriate fiscal and policy
16 committees of the senate and house of representatives.

17 **Sec. 30.** RCW 77.32.050 and 2009 c 333 s 71 are each amended to
18 read as follows:

19 (1) All recreational licenses, permits, tags, and stamps required
20 by this title and raffle tickets authorized under this chapter (~~(77.12~~
21 ~~RCW)~~) shall be issued under the authority of the commission. The
22 commission shall adopt rules for the issuance of recreational licenses,
23 permits, tags, stamps, and raffle tickets, and for the collection,
24 payment, and handling of license fees, terms and conditions to govern
25 dealers, and dealers' fees. A transaction fee on recreational
26 documents issued through an automated licensing system may be set by
27 the commission and collected from licensees. The department may
28 authorize all or part of such fee to be paid directly to a contractor
29 providing automated licensing system services. Fees retained by
30 dealers shall be uniform throughout the state. The department shall
31 authorize dealers to collect and retain dealer fees of at least two
32 dollars for purchase of a standard hunting or fishing recreational
33 license document, except that the commission may set a lower dealer fee
34 for issuance of tags or when a licensee buys a license that involves a
35 stamp or display card format rather than a standard department
36 licensing document form or for purchases of a discover pass under
37 section 3 of this act or a day use permit under section 4 of this act.

1 (2) For the 2009-2011 biennium, the department shall charge an
2 additional transaction fee of ten percent on all recreational licenses,
3 permits, tags, stamps, or raffle tickets. These transaction fees must
4 be deposited into the state wildlife account, created in RCW 77.12.170,
5 for funding fishing and hunting opportunities for recreational license
6 holders.

7 **Sec. 31.** RCW 46.01.140 and 2010 1st sp.s. c 7 s 139, 2010 c 221 s
8 1, and 2010 c 161 s 204 are each reenacted and amended to read as
9 follows:

10 (1) **County auditor/agent duties.** A county auditor or other agent
11 appointed by the director shall:

12 (a) Enter into a standard contract provided by the director, as
13 developed in consultation with the advice of the title and registration
14 advisory committee;

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

19 (i) Processing reports of sale;

20 (ii) Processing transitional ownership transactions;

21 (iii) Processing mail-in vehicle registration renewals until
22 directed otherwise by 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 chapter
26 46.10 RCW; and

27 (vi) Collecting fees and taxes as required;

28 (c) If authorized by the director, offer for sale and distribute
29 discover passes and day use permits as provided in chapter 79A.--- RCW
30 (the new chapter created in section 33 of this act).

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

34 (a) Appoint assistants as special deputies to accept applications
35 for vehicle certificates of title and to issue vehicle registrations;
36 and

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

4 (3) **Appointing subagents.** A county auditor or other agent
5 appointed by the director who requests a subagency shall, with approval
6 of the director:

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

10 (b) Submit all proposals to the director with a recommendation for
11 appointment of one or more subagents who have applied through the open
12 competitive process. If a qualified successor who is an existing
13 subagent's sibling, spouse, or child, or a subagency employee has
14 applied, the county auditor shall provide the name of the qualified
15 successor and the name of one other applicant who is qualified and was
16 chosen through the open competitive process.

17 (4) **Subagent duties.** A subagent appointed by the director shall:

18 (a) Enter into a standard contract with the county auditor or agent
19 provided by the director, as developed in consultation with the title
20 and registration advisory committee; (~~and~~)

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

25 (i) Processing reports of sale;

26 (ii) Processing transitional ownership transactions;

27 (iii) Mailing out vehicle registrations and replacement plates to
28 internet payment option customers until directed otherwise by
29 legislative authority;

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

32 (v) Issuing registrations for snowmobiles as required under chapter
33 46.10 RCW; and

34 (vi) Collecting fees and taxes as required; and

35 (c) If authorized by the director, offer for sale and distribute
36 discover passes and day use permits as provided in chapter 79A.--- RCW
37 (the new chapter created in section 33 of this act).

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

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

11 (b) A subagent may not receive any direct or indirect compensation
12 or remuneration from any party or entity in recognition of a successor
13 nomination. A subagent may not receive any financial benefit from the
14 transfer or termination of an appointment; and

15 (c) The appointment of a successor is intended to assist in the
16 efficient transfer of appointments to minimize public inconvenience.
17 The appointment of a successor does not create a proprietary or
18 property interest in the appointment.

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

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

26 (b) Describe the equipment to be supplied by the department and
27 equipment maintenance;

28 (c) Require specific types of insurance or bonds, or both, to
29 protect the state against any loss of collected revenue or loss of
30 equipment;

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

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

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

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

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

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

17 (10) **Rules.** The director may adopt rules to implement this
18 section.

19 NEW SECTION. **Sec. 32.** A new section is added to chapter 46.01 RCW
20 to read as follows:

21 The department of licensing may, in coordination with the state
22 parks and recreation commission, offer for sale and distribute discover
23 passes and day use permits, as provided in chapter 79A.--- RCW (the new
24 chapter created in section 33 of this act), at department driver
25 licenses offices. Any amounts collected by the department through the
26 sales of discover passes and day use permits must be deposited in the
27 recreation access pass account created in section 7 of this act.

28 NEW SECTION. **Sec. 33.** Sections 1 through 10 of this act
29 constitute a new chapter in Title 79A RCW.

30 NEW SECTION. **Sec. 34.** RCW 77.32.380 (Fish and wildlife lands
31 vehicle use permit--Improved access facility--Fee--Youth groups--
32 Display--Transfer between vehicles--Penalty) and 2003 c 317 s 4, 2001
33 c 243 s 1, 2000 c 107 s 271, 1998 c 87 s 1, 1993 sp.s. c 2 s 77, 1991
34 sp.s. c 7 s 12, 1988 c 36 s 52, 1987 c 506 s 90, 1985 c 464 s 11, &
35 1981 c 310 s 15 are each repealed.

1 NEW SECTION. **Sec. 35.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 July 1, 2011."

5 Correct the title.

EFFECT: Creates an annual discover pass (\$30) with day use option (\$10) that allows access to all recreation lands managed by the state parks and recreation commission, the department of natural resources, and the department of fish and wildlife; prohibits the agencies from adding additional fees or charges for access to state land; offers a fifty percent discount for a discover pass purchased concurrently with certain hunting or fishing licenses; allows "pass free" access while camping or on certain days; shares revenue among three agencies and requires the money to be used for the operation, maintenance, stewardship, and administration of state recreational lands; allows extra revenue may be used to secure public access on or through private lands; provides intent for the discover pass to be modeled after the United States forest service's Northwest forest pass in design and implementation; offers passes for sale at: Private vendors, state parks, department of licensing, state liquor stores, and through the hunting and fishing licensing system; specifies that the department of fish and wildlife may not collect personal information from the purchasers of discover passes; clarifies that the discover pass is a nonrefundable purchase; consolidates the allowable uses of discover pass revenue into one section; designates the state parks and recreation commission as the lead agency to administer the discover pass and allows the agency to be reimbursed from the account created in the bill for those expenses; reduces the time allowed at "pass free" short-term parking from 30 to 15 minutes.

--- END ---