

# HOUSE BILL REPORT

## HB 2569

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**As Reported by House Committee On:**  
Agriculture & Natural Resources  
General Government Appropriations

**Title:** An act relating to accessing land for outdoor recreation.

**Brief Description:** Regarding access to information for outdoor recreation and wildlife viewing opportunities.

**Sponsors:** Representatives Dunshee, Blake, Hunt, Chase and Ormsby.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 1/19/10, 1/28/10 [DPS];

General Government Appropriations: 2/4/10, 2/5/10 [DPS(AGNR)].

**Brief Summary of Substitute Bill**

- Authorizes the Washington Department of Fish and Wildlife (WDFW) to collect information relating to outdoor recreational access on a page of its website that is only accessible to license holders.
- Increases the cost of a Vehicle Use Permit issued by the WDFW in steps from \$10 to \$30.
- Permits individuals who purchase a wildlife-themed or personalized license plate to park at land access sites managed by the WDFW without having to display a Vehicle Use Permit.
- Allows the WDFW to use revenues generated from Vehicle Use Permits for the land maintenance.
- Specifically exempts individuals cited for a violation of parking without a Vehicle Use Permit from having to pay an additional public safety and education assessment.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Blake, Chair; Ormsby, Vice Chair; Jacks, Liias, McCoy, Nelson, Rolfes and Van De Wege.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kretz, Pearson and Warnick.

**Staff:** Jason Callahan (786-7117).

**Background:**

Washington Department of Fish and Wildlife Licensing.

The Washington Department of Fish and Wildlife (WDFW) offers many different recreational fishing and hunting licenses. A license from the WDFW is generally required prior to taking any game or fish species in the state. Revenue from the sale of recreational licenses are deposited, in most cases, into the State Wildlife Account.

In addition to issuing licenses that allow for hunting and fishing on most types of ownership in the state, the WDFW also manages land specifically for recreational access. Land managed by the WDFW is open for hunting and fishing as well as for non-consumptive wildlife activities such as bird watching.

A person is required to obtain a vehicle use permit issued by the WDFW to enter land managed by the WDFW that has been improved for public access. One vehicle use permit is issued free of charge with certain recreational fishing and hunting licenses and with the WDFW's watchable wildlife decal (decal). The decal is a sticker sold by the WDFW to raise funds for nature-watching activities.

If someone wishes to access land managed by the WDFW but has not purchased a decal or a license, that person may purchase a vehicle use permit for \$10. Revenue from the sale of vehicle use permits must be used by the WDFW for the stewardship and maintenance of improved access facilities.

Department of Licensing.

The Department of Licensing (DOL) offers a number of speciality license plates. These plates include three different versions of official state license plates that feature wildlife species native to Washington. The DOL also offers Washington motorists the option of personalizing their license plates with a unique set of numbers and letters that they choose.

Revenue generated by the DOL from the sale of wildlife-themed license plates and personalized license plates is provided to the WDFW.

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**Summary of Substitute Bill:**

### Access Information.

The WDFW is authorized to develop information relating to land access on its Internet website and limit Internet access to the information to individuals who have purchased a recreational license from the WDFW. Information contained on the WDFW's website may include information about wildlife areas and access sites, other public and private lands open for public recreation, and information promoting watchable wildlife and nature-based tourism. General information relating to hunting or fishing seasons may not be displayed on the password-protected portion of the website.

The Fish and Wildlife Commission (Commission) would be responsible for adopting a rule that clarifies which of the recreational licenses offered by the WDFW would also grant the purchaser access to the information on the WDFW website. Regardless of decisions made by the Commission, a person who purchases a Vehicle Use Permit must be provided with access to the website's information.

### Vehicle Use Permit.

Individuals that purchase a wildlife-themed or personalized license plate may park at a land access site managed by the WDFW without having to display a Vehicle Use Permit. Those without the proper license plates, or those who have not purchased a hunting or fishing license, must still purchase a Vehicle Use Permit to park at access sites managed by the WDFW.

The cost of a vehicle use permit is increased. The cost is raised from \$10 to \$20 until July 1, 2011. After that, the cost will increase to \$25 and increase to \$30 on July 1, 2013. The cost of a second permit, or a replacement permit, is raised from \$5 to \$10.

The WDFW is authorized to use revenues generated *by the sale of* Vehicle Use Permits for land maintenance and other tangible improvements to land, and not just for facility maintenance. Any revenues generated by the *collections from individuals found in violation of parking without a use permit* is directed to be divided three ways: 25 percent to the local court, 25 percent to the Fish and Wildlife Enforcement Rewards Account, and 50 percent to maintenance and improvement of land owned by the WDFW.

Enforcement of the Vehicle Use Permit requirement is limited to enforcement officers and ex officio enforcement officers of the WDFW. Individuals cited for a violation of parking without a Vehicle Use Permit are specifically exempted from having to pay a public safety and education assessment. If a person is cited for failure to display a vehicle use permit, the penalty may be reduced from \$66 to \$30 if he or she purchases a special wildlife-themed license plate or a personalized license plate.

### **Substitute Bill Compared to Original Bill:**

The substitute bill does the following:

- limits the enforcement of violations of the Vehicle Use Permit to fish and wildlife officers and ex officio officers instead to allowing any employee of the WDFW to enforce the violation;

- allows the penalty for failure to display a Vehicle Use Permit to be reduced if a qualifying license plate is purchased;
- directs any penalty revenue to be divided among the county, the enforcement of the Vehicle Use Permit, and the maintenance and physical improvement of land managed by the WDFW; and
- specifies that a violation of the vehicle use permit is a parking infraction and not subject to public safety and education assessments.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) The Washington Department of Fish and Wildlife is in the process of developing tourism information aimed at luring visitors to the Vancouver Olympics to spend time watching wildlife in Washington. People with specialty and vehicle plates would not need a vehicle use permit since the revenue from the plates supports wildlife programs.

(Opposed) None.

**Persons Testifying:** Mike O'Malley, Washington Department of Fish and Wildlife.

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

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## HOUSE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Darneille, Chair; Takko, Vice Chair; Blake, Dunshee, Hudgins, Kenney, Pedersen, Sells, Van De Wege and Williams.

**Minority Report:** Do not pass. Signed by 3 members: Representatives McCune, Ranking Minority Member; Klippert and Short.

**Staff:** Melissa Palmer (786-7388).

**Summary of Recommendation of Committee On General Government Appropriations Compared to Recommendation of Committee On Agriculture & Natural Resources:**

No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

None.

**Persons Testifying:** None.

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