

# SENATE BILL REPORT

## SB 5062

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As of February 5, 2009

**Title:** An act relating to enhancing wildlife viewing opportunities in Washington state.

**Brief Description:** Enhancing wildlife viewing opportunities.

**Sponsors:** Senator Jacobsen.

**Brief History:**

**Committee Activity:** Natural Resources, Ocean & Recreation: 2/05/09.

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### SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

**Staff:** Curt Gavigan (786-7437)

**Background:** Department of Fish and Wildlife's Watchable Wildlife Program. In accordance with statute, the Department of Fish and Wildlife (DFW) sells watchable wildlife decals (decals). The Legislature allows DFW to set the decal fee, which is currently \$28. DFW must deposit proceeds from decal sales into the Wildlife Account, and may only use such proceeds for watchable wildlife activities and to market the decal. Persons who purchase a decal also receive a vehicle-use permit allowing vehicular access to DFW land.

By statute, watchable wildlife activities include such activities as initiating partnerships with communities to develop watchable wildlife projects; building infrastructure to serve wildlife viewers; developing wildlife watching corridors, maps, and trails; and providing support to communities seeking to develop watchable wildlife attractions and events.

Local Hotel/Motel Tax. Pursuant to RCW 67.28, counties and cities may levy taxes on charges for the furnishing of lodging. The revenue from lodging taxes may only be used to pay for tourism promotion, acquisition of tourism-related facilities, or operation of such facilities. The chapter defines tourism promotion as "activities, operations, and expenditures designed to increase tourism," such as advertising, distributing information, operating tourism promotion agencies, and funding the operation of special events and festivals designed to attract tourists.

**Summary of Bill:** Watchable Wildlife Pilot Project. DFW must carry out a watchable raffle pilot project (pilot project) until December 2011. Under the pilot project, DFW must select raffle winners from the pool of decal holders. Raffle winners receive a wildlife viewing tour

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on DFW owned or managed lands. The tour should provide participants with a desirable, high quality, and rare wildlife viewing experience. The pilot project must consist of no fewer than three raffles and associated tours. DFW must provide a report to the Legislature on the pilot project by December 1, 2011.

Watchable wildlife raffles conducted under the pilot project are included within the current exemption from gambling regulations for DFW big game and turkey raffles.

Local Hotel/Motel Tax. The legislative body of any municipality may impose, at its option, an excise tax on charges made for the furnishing of lodging. This is a distinct source of revenue from existing lodging taxes.

The rate of the tax must not exceed 0.5 percent. Where both a county and city impose this tax, there is a credit against the county tax for the full amount imposed by a city or town. Thus, the county tax does not apply to lodging transactions to the extent that a city within that county also imposes the tax.

Revenue from this tax must be used to fund agreements with the owners of forest lands, open space lands, farm and agricultural lands, or timber lands to provide public access to private lands and to manage wildlife habitat for the promotion of tourism.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill will allow DFW to showcase wildlife viewing opportunities on its lands, and may provide an incentive for more people to purchase watchable wildlife decals. The local option hotel/motel tax would give local governments the chance to raise revenue to support the landowners who provide the habitat that supports wildlife tourism.

**Persons Testifying:** PRO: Michael O'Malley, DFW.