

# HOUSE BILL REPORT

## HB 1331

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### As Passed Legislature

**Title:** An act relating to the use of volunteers by the state parks and recreation commission.

**Brief Description:** Using volunteers at the state parks and recreation commission.

**Sponsors:** Representatives Buck, Sump, Regala, Anderson, Lantz, Doumit, G. Chandler, Pennington, Hatfield, Rockefeller, D. Sommers, Koster, Benson, Wolfe and Mulliken; by request of Parks and Recreation Commission.

### Brief History:

#### Committee Activity:

Natural Resources: 2/2/99, 2/12/99 [DP].

#### Floor Activity:

Passed House: 3/8/99, 94-0.

Passed Senate: 4/8/99, 46-0.

Passed Legislature.

### Brief Summary of Bill

- Authorizes the State Parks and Recreation Commission to use volunteers.
- Limits the expenses that the State Parks and Recreation Commission may expend on volunteers.

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### HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 12 members: Representatives Buck, Republican Co-Chair; Regala, Democratic Co-Chair; Anderson, Democratic Vice Chair; Sump, Republican Vice Chair; G. Chandler; Clements; Doumit; Eickmeyer; Ericksen; Pennington; Rockefeller and Stensen.

**Staff:** Josh Weiss (786-7129).

### Background:

The State Parks and Recreation Commission does not have explicit statutory authority to utilize volunteers in a generalized manner. The commission is allowed to grant permits to individual volunteers or volunteer organizations, who wish to undertake specific projects to improve state parks. In these circumstances, the commission is liable for certain expenses relating to these activities, including: insurance premiums, compensation of staff who assist volunteers, use of natural resources contained within the park, paint, incidental materials, and equipment. Prior to granting a permit for these activities, the commission is required to determine that the individuals are persons of good standing in the community in which they reside.

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**Summary of Bill:**

Language relating to the use of volunteers and related expenses is provided under the commission's general duties. Expenses relating to the use of volunteers is limited to insurance premiums, compensation of staff who assist with volunteers, materials and equipment, training, reimbursement of authorized travel expense, and reasonable expenses relating to the recognition of such volunteers. The commission is allowed to waive fees, such as camping fees, which would otherwise be applicable to volunteers. Volunteers may not be used to replace or supplant parks employees, and may not lead to the elimination of permanent positions.

The commission continues to have the authority to grant permits to individuals and organizations who wish to undertake projects to improve state parks. Language relating to expenses is removed, and is addressed as with general volunteers. The commission is not required to determine whether permitted volunteers are persons of good standing in the community in which they reside.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The State Parks and Recreation Commission began to use volunteers in 1980 or 1981. The law regarding use of volunteers was strengthened in 1994. Nonetheless, the State Parks and Recreation Commission still doesn't have the statutory authority to use volunteers, and the department has simply gone ahead and done it. The commission wants the security of clear authority to use volunteers. The employee's union does not object to this bill. One section in statute gives limited authority to use volunteers for construction projects, but the commission needs generic comprehensive authority so that they can apply it consistently. Currently the commission purchases

insurance from the Department of Labor and Industries for its volunteers. When discussing tort liability, there is no difference between an employee of the department and volunteers. The department needs to offer more training, supervision, and materials to its volunteers. Park managers have the discretion to decide how many volunteers, if any, to use, and it varies from park to park. Volunteers cost the department 4 cents per hour.

**Testimony Against:** None.

**Testified:** Rex Derr, State Parks and Recreation Commission.