
SENATE BILL 5506

State of Washington

62nd Legislature

2011 Regular Session

By Senators Sheldon and Morton

Read first time 01/27/11. Referred to Committee on Natural Resources & Marine Waters.

1 AN ACT Relating to metal detectors in Washington state parks;
2 adding a new section to chapter 79A.05 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature that
5 those significant archaeological resources on state park lands that are
6 of importance to the history of our state, or its communities, be
7 protected for the people of the state. At the same time, the
8 legislature also recognizes that the recreational use of metal
9 detectors in state parks is a legitimate form of recreation that can be
10 compatible with the protection of significant archaeological resources.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 79A.05 RCW
12 to read as follows:

13 (1)(a) By September 1, 2012, the commission shall open all
14 developed, common, and disturbed areas of state parks for the
15 recreational use of metal detectors.

16 (b) For the purposes of this section, developed and disturbed areas
17 are further defined as: Campgrounds; playfields; parade grounds; boat

1 launches, including both beaches and the water; and similar areas that
2 have been subject to capital development or future development by state
3 parks, that would not contain significant archaeological resources.

4 (2) The legislature directs, that on state park lands, historic
5 archaeological resources, as that term is defined in RCW 27.53.030, be
6 managed in such a way that the integrity of those resources not be
7 diminished. Metal detectors may be used on the state park lands around
8 these resources.

9 (3) All federal lands leased to state parks are subject to the
10 archaeological protection act and the historical protection act,
11 including provisions that allow the use of metal detectors on federal
12 lands under 16 U.S.C. 470ff, 16 U.S.C. 470bb, and 16 U.S.C. 470kk.

13 (4) In the event an item is discovered of archaeological
14 significance, it must be turned over to the department of archaeology
15 and historic preservation.

16 (5) If the commission determines that all developed or disturbed
17 areas of a park must remain off limits to metal detecting because of
18 their historic archaeological resources, the commission must, by
19 September 1, 2012, submit a brief report to the standing committees of
20 the legislature as to how the commission and the department of
21 archaeology and historic preservation made this determination.

22 (6) It is the intent of this section to prohibit blanket
23 prohibitions to the use of metal detectors in state parks, but to
24 ensure the preservation of proven historic archaeological resources for
25 the enjoyment of the public.

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