

HOUSE BILL REPORT

ESHB 2138

As Passed House:
February 18, 2020

Title: An act relating to requirements of signs on public land.

Brief Description: Requiring signage on certain lands that are closed to the public.

Sponsors: House Committee on Rural Development, Agriculture, & Natural Resources
(originally sponsored by Representatives Blake, Kretz, Chapman and Dent).

Brief History:

Committee Activity:

Rural Development, Agriculture, & Natural Resources: 1/15/20, 1/22/20 [DPS].

Floor Activity:

Passed House: 2/18/20, 97-0.

Brief Summary of Engrossed Substitute Bill

- Requires that all new signs on lands managed by the Department of Natural Resources (DNR) and the Department of Fish and Wildlife (WDFW) that relate to land use restrictions or closures include a reference to the appropriate supporting legal authority.
- Requires the DNR and the WDFW to update their current sign standards and policies to ensure that all signs related to land use restrictions or closures include a reference to the appropriate supporting legal authority.
- Provides that the act applies prospectively.

HOUSE COMMITTEE ON RURAL DEVELOPMENT, AGRICULTURE, & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Blake, Chair; Shewmake, Vice Chair; Chandler, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chapman, Dye, Fitzgibbon, Kretz, Lekanoff, Orcutt, Pettigrew, Ramos, Schmick, Springer and Walsh.

Staff: Robert Hatfield (786-7117).

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.

Background:

The Department of Fish and Wildlife (WDFW) and the Department of Natural Resources (DNR) are both charged with managing certain categories of the public lands of the state. The WDFW owns or manages nearly 1 million acres of public land for fish and wildlife, habitat conservation, and wildlife-related recreation. The DNR protects and manages approximately 5.6 million acres of state-owned land.

Summary of Engrossed Substitute Bill:

For lands managed by the Department of Natural Resources (DNR) and the Washington Department of Fish and Wildlife (WDFW) all new signs that pertain to land use restrictions or closures must include a reference to the supporting section of the Revised Code of Washington (RCW) or the Washington Administrative Code (WAC), or to other legal authority.

The DNR and WDFW must update their existing sign standards and policies to ensure that all signs pertaining to land use restrictions or closures must include a reference to the supporting section of the RCW or the WAC, or to other legal authority.

The requirements apply prospectively. There is no requirement that any agency of state government increase or change its existing sign update, replacement, or removal schedules. Agencies should use any remaining stock of signs.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) It makes sense, if there is a "keep out" sign on public lands, that the public should be informed as to why the sign was put up.

(Opposed) None.

(Other) When there is a change to access to public lands, it makes sense to be open and transparent about the reason for the change. There might be a different way to address closure signs that carries less of a fiscal impact. If there is closure signage, adding language regarding the legal basis for the closure would be a workable option.

There is support for the need to provide information to the public about closures. There is concern regarding the cost of the requirement. There may be additional ways to communicate with the public.

Persons Testifying: (In support) Representative Blake, prime sponsor.

(Other) Leah Dobe, Department of Natural Resources; and Paul Dahmer, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.