
HOUSE BILL 2559

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Jacobsen, Bray, Romero, R. Fisher, Wang, Karahalios and Moak

Read first time 01/17/94. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to fossil collection on state lands; amending RCW
2 79.01.651; adding a new section to chapter 43.51 RCW; and adding a new
3 section to chapter 77.32 RCW.

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

5 **Sec. 1.** RCW 79.01.651 and 1987 c 20 s 15 are each amended to read
6 as follows:

7 The department may issue permits for recreational mineral
8 prospecting in designated areas containing noneconomic mineral
9 deposits. The term of a permit shall not exceed one year. Designated
10 areas, equipment allowed, methods of prospecting, as well as other
11 appropriate permit conditions, shall be set in rules adopted by the
12 department. Fees shall be set by the board of natural resources.

13 The department shall administer paleontological resources in areas
14 managed by the department in consultation with paleontologists at the
15 state museum of natural history to ensure the protection of rare fossil
16 resources and their continued availability for enjoyment and research.
17 The department may issue permits for fossil collection in designated
18 areas managed by the department. It is unlawful to collect fossils in
19 designated lands managed by the department without a valid permit. In

1 designing a permit system, the department shall distinguish between the
2 categories of recreational, scientific, and commercial fossil
3 collecting. Based on advice by paleontologists regarding the
4 scientific value and vulnerability of specific fossil resources, the
5 department may restrict fossil collecting in a designated area to one
6 or more of these three categories. Permits shall be designed to be
7 simple, and the permit process shall not impede the legitimate
8 interests of collectors. Designated areas, equipment allowed,
9 collection methods, and other appropriate permit conditions shall be
10 described in rules set forth by the department. The term of a permit
11 shall not exceed one year. Permit fees shall be set by the board of
12 natural resources. In setting fees, the board shall distinguish
13 between fossil collection for recreational, scientific, and commercial
14 purposes. Fees charged to commercial fossil collectors shall be higher
15 than fees charged to recreational or scientific fossil collectors and
16 shall reflect the loss of nonrenewable resources. Fees charged to
17 recreational and scientific fossil collectors shall be low enough to
18 encourage the study of Washington state fossils by amateur and
19 professional paleontologists. Recreational and scientific fossil
20 collectors are urged to designate the state museum of natural history
21 or another appropriate museum or scientific institution in the state as
22 ultimate repository for unique, rare, and scientifically significant
23 fossils collected on state lands. To ensure consistency in the fossil
24 collection programs for lands managed by the state, the department and
25 the board of natural resources shall work with the state parks and
26 recreation commission and the department of fish and wildlife, and in
27 consultation with paleontologists at the state museum of natural
28 history and the Northwest paleontological society, in setting fees and
29 adopting rules for fossil collection permits.

30 NEW SECTION. Sec. 2. A new section is added to chapter 43.51 RCW
31 to read as follows:

32 The state parks and recreation commission shall administer
33 paleontological resources in areas managed by the commission in
34 consultation with paleontologists at the state museum of natural
35 history to ensure the protection of rare fossil resources and their
36 continuing availability for enjoyment and research. The commission may
37 issue permits for fossil collection in designated areas managed by the
38 commission. It is unlawful to collect fossils in designated lands

1 managed by the commission without a valid permit. In designing a
2 permit system, the commission shall distinguish between the categories
3 of recreational, scientific, and commercial fossil collecting. Based
4 on advice by paleontologists regarding the scientific value and
5 vulnerability of specific fossil resources, the commission may restrict
6 fossil collecting in a designated area to one or more of these three
7 categories. Permits shall be designed to be simple, and the permit
8 process shall not impede the legitimate interests of collectors.
9 Designated areas, equipment allowed, collection methods, and other
10 appropriate permit conditions shall be described in rules set forth by
11 the commission. The term of a permit shall not exceed one year.
12 Permit fees shall be set by the commission. In setting fees, the
13 commission shall distinguish between fossil collection for
14 recreational, scientific, and commercial purposes. Fees charged to
15 commercial fossil collectors shall be higher than fees charged to
16 recreational or scientific fossil collectors and shall reflect the loss
17 of nonrenewable resources. Fees charged to recreational and scientific
18 fossil collectors shall be low enough to encourage the study of
19 Washington state fossils by amateur and professional paleontologists.
20 Recreational and scientific fossil collectors are urged to designate
21 the state museum of natural history or another appropriate museum or
22 scientific institution in the state as ultimate repository for unique,
23 rare, and scientifically significant fossils collected on state lands.
24 To ensure consistency in the fossil collection programs for lands
25 managed by the state, the commission shall work with the department of
26 natural resources and the department of fish and wildlife, and in
27 consultation with paleontologists at the state museum of natural
28 history and the Northwest paleontological society, in setting fees and
29 adopting rules for fossil collection permits.

30 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.32 RCW
31 to read as follows:

32 The director of the department of fish and wildlife shall
33 administer paleontological resources in areas managed by the department
34 in consultation with paleontologists at the state museum of natural
35 history to ensure the protection of rare fossil resources and their
36 continuing availability for enjoyment and research. The director may
37 issue permits for fossil collection in designated areas managed by the
38 department. It is unlawful to collect fossils in designated lands

1 managed by the department without a valid permit. In designing a
2 permit system, the director shall distinguish between the categories of
3 recreational, scientific, and commercial fossil collecting. Based on
4 advice by paleontologists regarding the scientific value and
5 vulnerability of specific fossil resources, the director may restrict
6 fossil collecting in a designated area to one or more of these three
7 categories. Permits shall be designed to be simple, and the permit
8 process shall not impede the legitimate interests of collectors.
9 Designated areas, equipment allowed, collection methods, and other
10 appropriate permit conditions shall be described in rules set forth by
11 the director. The term of a permit shall not exceed one year. Permit
12 fees shall be set by the director. In setting fees, the director shall
13 distinguish between fossil collection for recreational, scientific, and
14 commercial purposes. Fees charged to commercial fossil collectors
15 shall be higher than fees charged to recreational or scientific fossil
16 collectors and shall reflect the loss of nonrenewable resources. Fees
17 charged to recreational and scientific fossil collectors shall be low
18 enough to encourage the study of Washington state fossils by amateur
19 and professional paleontologists. Recreational and scientific fossil
20 collectors are urged to designate the state museum of natural history
21 or another appropriate museum or scientific institution in the state as
22 ultimate repository for unique, rare, and scientifically significant
23 fossils collected on state lands. To ensure consistency in the fossil
24 collection programs for lands managed by the state, the director shall
25 work with the department of natural resources and the state parks and
26 recreation commission, and in consultation with paleontologists at the
27 state museum of natural history and the Northwest paleontological
28 society, in setting fees and adopting rules for fossil collection
29 permits.

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