
SENATE BILL 5657

State of Washington

63rd Legislature

2013 Regular Session

By Senators Pearson, Parlette, Rolfes, and Schlicher

Read first time 02/07/13. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to state parks and recreation; amending RCW
2 79A.05.015, 79A.05.065, 79A.05.215, 79A.80.010, 79A.80.020, 79A.80.050,
3 79A.80.090, and 79A.05.351; adding a new section to chapter 79A.05 RCW;
4 adding new sections to chapter 79A.80 RCW; and creating new sections.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature, in
7 recognition of the centennial of the Washington state parks system, to
8 reaffirm the intent of the legislature as expressed in section 1,
9 chapter 211, Laws of 1995: To stabilize the funding of the state parks
10 system through commitment of continuing general fund support; to ensure
11 access to state parks and recreation lands for the poor; to affirm the
12 support of the commission form of governance; and to provide for
13 additional improvements in the funding and operation of state parks and
14 recreation. The legislature recognizes that the Washington state parks
15 and recreation commission needs to generate revenues from nonrecreation
16 usages of state parks resources at market rates, and from recreation
17 usages at reasonable rates, but that the adequate maintenance and
18 operation of the state parks system requires that there be an ongoing

1 commitment of general government resources sufficient to secure the
2 future of the state parks system.

3 **Sec. 2.** RCW 79A.05.015 and 1999 c 249 s 201 are each amended to
4 read as follows:

5 There is hereby created a "state parks and recreation commission"
6 consisting of seven citizens of the state. The members of the
7 commission shall be appointed by the governor by and with the advice
8 and consent of the senate and shall serve for a term of six years,
9 expiring on (~~December 31st~~) June 30th of (~~even~~) odd-numbered years,
10 and until their successors are appointed. In case of a vacancy, the
11 governor shall fill the vacancy for the unexpired term of the
12 commissioner whose office has become vacant.

13 In making the appointments to the commission, the governor shall
14 choose citizens who understand park and recreation needs and interests.
15 No person shall serve if he or she holds any elective or full-time
16 appointive state, county, or municipal office. Members of the
17 commission shall be compensated in accordance with RCW 43.03.240 and in
18 addition shall be allowed their travel expenses incurred while absent
19 from their usual places of residence in accordance with RCW 43.03.050
20 and 43.03.060.

21 Payment of expenses pertaining to the operation of the commission
22 shall be made upon vouchers certified to by such persons as shall be
23 designated by the commission.

24 **Sec. 3.** RCW 79A.05.065 and 2011 c 171 s 115 are each amended to
25 read as follows:

26 (1)(a) The commission shall grant to any person who meets the
27 eligibility requirements specified in this section a senior citizen's
28 pass which shall (~~(i)~~) entitle such a person, and members of his or
29 her camping unit, to a fifty percent reduction in the campsite rental
30 fee prescribed by the commission (~~(i) and (ii) entitle such a person to~~
31 ~~free admission to any state park~~)).

32 (b) The commission shall grant a senior citizen's pass to any
33 person who applies for the senior citizen's pass and who meets the
34 following requirements:

35 (i) The person is at least sixty-two years of age;

1 (ii) The person is a domiciliary of the state of Washington and
2 meets reasonable residency requirements prescribed by the commission;
3 and

4 (iii) The person and his or her spouse have a combined income that
5 would qualify the person for a property tax exemption pursuant to RCW
6 84.36.381. The financial eligibility requirements of this subsection
7 (1)(b)(iii) apply regardless of whether the applicant for a senior
8 citizen's pass owns taxable property or has obtained or applied for
9 such property tax exemption.

10 (c) Each senior citizen's pass granted pursuant to this section is
11 valid as long as the senior citizen meets the requirements of (b)(ii)
12 of this subsection. A senior citizen meeting the eligibility
13 requirements of this section may make a voluntary donation for the
14 upkeep and maintenance of state parks.

15 (d) A holder of a senior citizen's pass shall surrender the pass
16 upon request of a commission employee when the employee has reason to
17 believe the holder fails to meet the criteria in (b) of this
18 subsection. The holder shall have the pass returned upon providing
19 proof to the satisfaction of the director that the holder meets the
20 eligibility criteria for obtaining the senior citizen's pass.

21 (2)(a) Any resident of Washington who is disabled as defined by the
22 social security administration and who receives social security
23 benefits for that disability, or any other benefits for that disability
24 from any other governmental or nongovernmental source, or who is
25 entitled to benefits for permanent disability under RCW
26 71A.10.020(~~((+3+))~~) (4) due to unemployability full time at the minimum
27 wage, or who is legally blind or profoundly deaf, or who has been
28 issued a card, decal, or special license plate for a permanent
29 disability under RCW 46.19.010 shall be entitled to receive, regardless
30 of age and upon making application therefor, a disability pass at no
31 cost to the holder. The pass shall(~~((+—(i+))~~) entitle such a person,
32 and members of his or her camping unit, to a fifty percent reduction in
33 the campsite rental fee prescribed by the commission(~~((+—and—(ii)~~
34 ~~entitle such a person to free admission to any state park))~~)).

35 (b) A card, decal, or special license plate issued for a permanent
36 disability under RCW 46.19.010 may serve as a pass for the holder to
37 entitle that person and members of the person's camping unit to a fifty

1 percent reduction in the campsite rental fee prescribed by the
2 commission(~~(, and to allow the holder free admission to state parks)~~).

3 (3) Any resident of Washington who is a veteran and has a service-
4 connected disability of at least thirty percent shall be entitled to
5 receive a lifetime veteran's disability pass at no cost to the holder.
6 The pass shall: (a) Entitle such a person, and members of his or her
7 camping unit, to free use of any campsite within any state park; and
8 (b) (~~entitle such a person to free admission to any state park; and~~
9 ~~(e)~~) entitle such a person to an exemption from any reservation fees.

10 (4)(a) Any Washington state resident who provides out-of-home care
11 to a child, as either a licensed foster-family home or a person related
12 to the child, is entitled to a foster home pass.

13 (b) An applicant for a foster home pass must request a pass in the
14 manner required by the commission. Upon receipt of a properly
15 submitted request, the commission shall verify with the department of
16 social and health services that the applicant qualifies under (a) of
17 this subsection. Once issued, a foster home pass is valid for the
18 period, which may not be less than one year, designated by the
19 commission.

20 (c) When accompanied by a child receiving out-of-home care from the
21 pass holder, a foster home pass(~~(;—(i))~~) entitles such a person, and
22 members of his or her camping unit, to free use of any campsite within
23 any state park(~~(; and (ii) entitles such a person to free admission to~~
24 ~~any state park)~~).

25 (d) For the purposes of this subsection (4):

26 (i) "Out-of-home care" means placement in a foster-family home or
27 with a person related to the child under the authority of chapter
28 13.32A, 13.34, or 74.13 RCW;

29 (ii) "Foster-family home" has the same meaning as defined in RCW
30 74.15.020; and

31 (iii) "Person related to the child" means those persons referred to
32 in RCW 74.15.020(2)(a) (i) through (vi).

33 (5) All passes issued pursuant to this section are valid at all
34 parks any time during the year. However, the pass is not valid for
35 admission to concessionaire operated facilities.

36 (6) The commission shall negotiate payment and costs, to allow
37 holders of a foster home pass free access and usage of park campsites,

1 with the following nonoperated, nonstate-owned parks: Central Ferry,
2 Chief Timothy, Crow Butte, and Lyons Ferry. The commission shall seek
3 state general fund reimbursement on a biennial basis.

4 (7) The commission may deny or revoke any Washington state park
5 pass issued under this section for cause, including but not limited to
6 the following:

7 (a) Residency outside the state of Washington;

8 (b) Violation of laws or state park rules resulting in eviction
9 from a state park;

10 (c) Intimidating, obstructing, or assaulting a park employee or
11 park volunteer who is engaged in the performance of official duties;

12 (d) Fraudulent use of a pass;

13 (e) Providing false information or documentation in the application
14 for a state parks pass;

15 (f) Refusing to display or show the pass to park employees when
16 requested; or

17 (g) Failing to provide current eligibility information upon request
18 by the agency or when eligibility ceases or changes.

19 (8) This section shall not affect or otherwise impair the power of
20 the commission to continue or discontinue any other programs it has
21 adopted for senior citizens.

22 (9) The commission may engage in a mutually agreed upon reciprocal
23 or discounted program for all or specific pass programs with other
24 outdoor recreation agencies.

25 (10) The commission shall adopt those rules as it finds appropriate
26 for the administration of this section. Among other things, the rules
27 shall prescribe a definition of "camping unit" which will authorize a
28 reasonable number of persons traveling with the person having a pass to
29 stay at the campsite rented by such a person, a minimum Washington
30 residency requirement for applicants for a senior citizen's pass, and
31 an application form to be completed by applicants for a senior
32 citizen's pass.

33 **Sec. 4.** RCW 79A.05.215 and 2011 c 320 s 22 are each amended to
34 read as follows:

35 The state parks renewal and stewardship account is created in the
36 state treasury. Except as otherwise provided in this chapter, all
37 receipts from user fees, concessions, leases, donations collected under

1 RCW 46.16A.090(3), and other state park-based activities shall be
2 deposited into the account. The proceeds from the recreation access
3 pass account created in RCW 79A.80.090 and the transfers from the state
4 general fund pursuant to section 10 of this act must be used for the
5 purpose of operating and maintaining state parks. Expenditures from
6 the account may be used for operating state parks, developing and
7 renovating park facilities, undertaking deferred maintenance, enhancing
8 park stewardship, and other state park purposes. Expenditures from the
9 account may be made only after appropriation by the legislature.

10 **Sec. 5.** RCW 79A.80.010 and 2012 c 261 s 1 are each amended to read
11 as follows:

12 The definitions in this section apply throughout this chapter
13 unless the context clearly requires otherwise.

14 (1) "Agency" or "agencies" means the department of fish and
15 wildlife, the department of natural resources, and the parks and
16 recreation commission.

17 (2) "Annual natural investment permit" means the annual permit
18 issued by the parks and recreation commission for the purpose of
19 launching boats from the designated state parks boat launch sites.

20 (3) "Camper registration" means proof of payment of a camping fee
21 on recreational lands managed by the parks and recreation commission.

22 (4) "Day-use permit" means the permit created in RCW 79A.80.030.

23 (5) "Discover pass" means the annual pass created in RCW
24 79A.80.020.

25 (6) "Motor vehicle" has the same meaning as defined in RCW
26 46.04.320 and which are required to be registered under chapter 46.16A
27 RCW. "Motor vehicle" does not include those motor vehicles exempt from
28 registration under RCW 46.16A.080 and state and publicly owned motor
29 vehicles as provided in RCW 46.16A.170.

30 (7) "Recreation site or lands" means a state park, state lands and
31 state forest lands as those terms are defined in RCW 79.02.010, natural
32 resources conservation areas as that term is defined in RCW 79.71.030,
33 natural area preserves as that term is defined in RCW 79.70.020, and
34 fish and wildlife conservation sites including water access areas, boat
35 ramps, wildlife areas, parking areas, roads, and trailheads.

36 (8) "Sno-park seasonal permit" means the seasonal permit issued by

1 the parks and recreation commission for providing access to winter
2 recreational facilities for the period of November 1st through March
3 31st.

4 (9) "Vehicle access pass" means the pass created in RCW 79A.80.040.

5 (10) "Washington state parks license plate" means the special
6 license plate recognizing Washington state parks approved in RCW
7 46.18.200.

8 **Sec. 6.** RCW 79A.80.020 and 2012 c 261 s 2 are each amended to read
9 as follows:

10 (1) Except as otherwise provided in RCW 79A.80.050, 79A.80.060, and
11 79A.80.070, a discover pass is required for any motor vehicle to park
12 or operate on any recreation site or lands, except for short-term
13 parking as may be authorized under RCW 79A.80.070.

14 (2) The cost of a discover pass is thirty dollars. Every four
15 years the office of financial management must review the cost of the
16 discover pass and, if necessary, recommend to the legislature an
17 adjustment to the cost of the discover pass to account for inflation.

18 (3) A discover pass is valid for one year beginning from the date
19 that the discover pass is marked for activation. The activation date
20 may differ from the purchase date pursuant to any policies developed by
21 the agencies.

22 (4) Sales of discover passes must be consistent with RCW
23 79A.80.100.

24 (5) The discover pass must contain space for two motor vehicle
25 license plate numbers. A discover pass is valid only for those vehicle
26 license plate numbers written on the pass. However, the agencies may
27 offer for sale a family discover pass that is fully transferable among
28 vehicles and does not require the placement of a license plate number
29 on the pass to be valid. The agencies must collectively set a price
30 for the sale of a family discover pass that is no more than fifty
31 dollars. A discover pass is valid only for use with one motor vehicle
32 at any one time.

33 (6)(a) One complimentary discover pass must be provided to a
34 volunteer who performed twenty-four hours of service on agency-
35 sanctioned volunteer projects in a year. The agency must provide
36 vouchers to volunteers identifying the number of volunteer hours they

1 have provided for each project. The vouchers may be brought to an
2 agency to be redeemed for a discover pass.

3 (b) Married spouses under chapter 26.04 RCW may present an agency
4 with combined vouchers demonstrating the collective performance of
5 twenty-four hours of service on agency-sanctioned volunteer projects in
6 a year to be redeemed for a single complimentary discover pass.

7 (7) A complimentary discover pass must be provided to any
8 Washington state resident who is the registered owner of a vehicle and
9 who provides proof of eligibility for food stamps.

10 (8) A complimentary discover pass must be provided to any person
11 who qualifies for free or reduced camping pursuant to RCW 79A.05.065.

12 **Sec. 7.** RCW 79A.80.050 and 2012 c 261 s 6 are each amended to read
13 as follows:

14 (1) A discover pass or a day-use permit are not required within a
15 state park for persons who have a valid camper registration, or annual
16 natural investment permit, issued by the state parks and recreation
17 commission, or for vehicles displaying a Washington state parks license
18 plate.

19 (2) The state parks and recreation commission must provide up to
20 twelve days a year where entry to state parks is free. At least three
21 of those days must be on weekends. When practicable, the free access
22 days should be timed to correspond with any similar free access days
23 planned by the national park service for national parks located in the
24 general region of high volume state parks.

25 **Sec. 8.** RCW 79A.80.090 and 2011 c 320 s 10 are each amended to
26 read as follows:

27 (1) The recreation access pass account is created in the state
28 treasury. All moneys received from the sale of discover passes and
29 day-use permits must be deposited into the account.

30 (2) Each fiscal biennium, the first seventy-one million dollars in
31 revenue from the sales of discover passes and day-use permits must be
32 distributed to the agencies in the following manner:

33 (a) Eight percent to the department of fish and wildlife and
34 deposited into the state wildlife account created in RCW 77.12.170;

35 (b) Eight percent to the department of natural resources and

1 deposited into the park land trust revolving fund created in RCW
2 43.30.385; and

3 (c) Eighty-four percent to the state parks and recreation
4 commission and deposited into the state parks renewal and stewardship
5 account created in RCW 79A.05.215.

6 (3) Each fiscal biennium, revenues in excess of seventy-one million
7 dollars must be distributed equally among the agencies to the accounts
8 identified in subsection (2) of this section.

9 (4) Revenues transferred to the account from the state general fund
10 pursuant to sections 10 and 11 of this act must be distributed in the
11 same proportion as sales revenue is distributed pursuant to subsection
12 (2) of this section.

13 NEW SECTION. Sec. 9. A new section is added to chapter 79A.05 RCW
14 to read as follows:

15 On September 1st of each year, the state treasurer shall transfer
16 from the state general fund to the state parks renewal and stewardship
17 account an amount equal to the campsite rental fees and reservation
18 fees foregone pursuant to RCW 79A.05.065 during the immediately
19 preceding fiscal year.

20 NEW SECTION. Sec. 10. A new section is added to chapter 79A.80
21 RCW to read as follows:

22 On September 1st of each year, the state treasurer shall transfer
23 from the state general fund to the recreation access pass account an
24 amount equal to the sales of discover passes and day-use permits during
25 the immediately preceding fiscal year. These general fund matching
26 funds must be distributed to the department of fish and wildlife, the
27 department of natural resources, and the state parks and recreation
28 commission in the same manner and in the same proportions as the sales
29 revenues would be distributed as provided in RCW 79A.80.090.

30 NEW SECTION. Sec. 11. A new section is added to chapter 79A.80
31 RCW to read as follows:

32 On September 1st of each year, the state treasurer shall transfer
33 from the state general fund to the recreation access pass account an
34 amount equal to the value of discover passes provided pursuant to RCW
35 79A.80.020 (7) and (8) during the immediately preceding fiscal year.

1 These funds must be distributed to the department of fish and wildlife,
2 the department of natural resources, and the state parks and recreation
3 commission in the same manner and in the same proportions as the sales
4 revenues would be distributed as provided in RCW 79A.80.090, except
5 that the first one million dollars to be distributed each fiscal year
6 to the commission must be deposited in the outdoor education and
7 recreation program account created in RCW 79A.05.351.

8 **Sec. 12.** RCW 79A.05.351 and 2007 c 176 s 2 are each amended to
9 read as follows:

10 (1) The outdoor education and recreation grant program is hereby
11 created, subject to the availability of funds in the outdoor education
12 and recreation program account. The commission shall establish and
13 implement the program by rule to: (a) Ensure access to state
14 recreation lands by youth participating in programs sponsored by
15 private nonprofit organizations when the requirement for the discover
16 pass creates a financial barrier to participation; and (b) provide
17 opportunities for public agencies, private nonprofit organizations,
18 formal school programs, nonformal after-school programs, and community-
19 based programs to receive grants from the account. Programs that
20 provide outdoor education opportunities to schools shall be fully
21 aligned with the state's essential academic learning requirements.

22 (2) The program shall ~~((be phased in beginning with the schools and~~
23 ~~students with the greatest needs in suburban, rural, and urban areas of~~
24 ~~the state. The program shall focus on students who qualify for free~~
25 ~~and reduced price lunch, who are most likely to fail academically, or~~
26 ~~who have the greatest potential to drop out of school.~~

27 ~~(3) The director shall set priorities and develop criteria for the~~
28 ~~awarding of grants to outdoor environmental, ecological, agricultural,~~
29 ~~or other natural resource-based education and recreation programs~~
30 ~~considering at least the following:~~

31 ~~(a) Programs that contribute to the reduction of academic failure~~
32 ~~and dropout rates;~~

33 ~~(b) Programs that make use of research based, effective~~
34 ~~environmental, ecological, agricultural, or other natural resource-~~
35 ~~based education curriculum;~~

36 ~~(c) Programs that contribute to healthy life styles through outdoor~~
37 ~~recreation and sound nutrition;~~

1 ~~(d) Various Washington state parks as venues and use of the~~
2 ~~commission's personnel as a resource;~~

3 ~~(e) Programs that maximize the number of participants that can be~~
4 ~~served;~~

5 ~~(f) Programs that will commit matching and in-kind resources;~~

6 ~~(g) Programs that create partnerships with public and private~~
7 ~~entities;~~

8 ~~(h) Programs that provide students with opportunities to directly~~
9 ~~experience and understand nature and the natural world; and~~

10 ~~(i) Programs that include ongoing program evaluation, assessment,~~
11 ~~and reporting of their effectiveness.~~

12 ~~(4) The director shall create an advisory committee to assist and~~
13 ~~advise the commission in the development and administration of the~~
14 ~~outdoor education and recreation program. The director should solicit~~
15 ~~representation on the committee from the office of the superintendent~~
16 ~~of public instruction, the department of fish and wildlife, the~~
17 ~~business community, outdoor organizations with an interest in~~
18 ~~education, and any others the commission deems sufficient to ensure a~~
19 ~~cross section of stakeholders. When the director creates such an~~
20 ~~advisory committee, its members shall be reimbursed from the outdoor~~
21 ~~education and recreation program account for travel expenses as~~
22 ~~provided in RCW 43.03.050 and 43.03.060.~~

23 ~~(5))~~ prioritize the assurance of access to state recreation lands
24 and otherwise be phased in beginning with the schools and students with
25 the greatest needs in suburban, rural, and urban areas of the state.
26 The program must focus on: (a) Youth in low-income and economically
27 distressed areas of the state; and (b) students who qualify for free
28 and reduced-price lunch, who are most likely to fail academically, or
29 who have the greatest potential to drop out of school.

30 (3) For the purposes described in subsection (1)(a) of this
31 section, the director shall set priorities and develop criteria for the
32 awarding of grants to private nonprofit organizations considering at
33 least the following:

34 (a) Programs that ensure access to state recreation lands for youth
35 who might not otherwise participate because of the financial barrier
36 created by the requirement for the discover pass; and

37 (b) Programs that use Washington state parks as venues and the
38 commission's personnel as a resource.

1 (4) For the purposes described in subsection (1)(b) of this
2 section, the director shall set priorities and develop criteria for the
3 awarding of grants to outdoor environmental, ecological, agricultural,
4 or other natural resource-based education and recreation programs
5 considering at least the following:

6 (a) Programs that contribute to the reduction of academic failure
7 and dropout rates;

8 (b) Programs that make use of research-based, effective
9 environmental, ecological, agricultural, or other natural resource-
10 based education curriculum;

11 (c) Programs that contribute to healthy lifestyles through outdoor
12 recreation and sound nutrition;

13 (d) Programs that use Washington state parks as venues and the
14 commission's personnel as a resource;

15 (e) Programs that maximize the number of participants that can be
16 served;

17 (f) Programs that will commit matching and in-kind resources;

18 (g) Programs that create partnerships with public and private
19 entities;

20 (h) Programs that provide students with opportunities to directly
21 experience and understand nature and the natural world; and

22 (i) Programs that include ongoing program evaluation, assessment,
23 and reporting of their effectiveness.

24 (5) The director shall create an advisory committee to assist and
25 advise the commission in the development and administration of the
26 outdoor education and recreation program. The director should solicit
27 representation on the committee from the office of the superintendent
28 of public instruction, the department of fish and wildlife, the
29 business community, outdoor organizations with an interest in
30 education, and any others the commission deems sufficient to ensure a
31 cross-section of stakeholders. When the director creates such an
32 advisory committee, its members must be reimbursed from the outdoor
33 education and recreation program account for travel expenses as
34 provided in RCW 43.03.050 and 43.03.060.

35 (6) The outdoor education and recreation program account is created
36 in the custody of the state treasurer. Funds deposited in the outdoor
37 education and recreation program account shall be transferred only to
38 the commission to be used solely for the commission's outdoor education

1 and recreation program purposes identified in this section including
2 the administration of the program. The director may accept gifts,
3 grants, donations, or moneys from any source for deposit in the outdoor
4 education and recreation program account. Any public agency in this
5 state may develop and implement outdoor education and recreation
6 programs. The director may make grants to public agencies and contract
7 with any public or private agency or person to develop and implement
8 outdoor education and recreation programs. The outdoor education and
9 recreation program account is subject to allotment procedures under
10 chapter 43.88 RCW, but an appropriation is not required for
11 expenditures.

12 NEW SECTION. **Sec. 13.** This act may be known and cited as the
13 state parks and recreation centennial act.

--- END ---