



STATE OF WASHINGTON

OFFICE OF THE INTERAGENCY COMMITTEE
1111 Washington Street SE
PO Box 40917
Olympia, WA 98504-0917

January 18, 2006

TO: IAC Committee Members
FROM: Laura Johnson, Director 
PREPARED BY: Jim Fox, Special Assistant to the Director 
SUBJECT: Item #3e. Legislative Update, 2006 Session

The 2006 legislative session began on January 9th. A number of bills have been introduced that have the potential to affect IAC and other state and local agencies involved in providing recreation, open space, and habitat land. The bills introduced as of January 18th are summarized below. An updated report will be distributed at the IAC meeting.

Liability of Recreational Landowners.

Several bills would amend the statutes that relieve public and private landowners of liability if they make their land available without a fee for public recreation. HB2356 would allow charging a fee of up to \$10 per day or \$350 per year if the revenues are devoted to management of the land. Under SB6353, an owner or operator of a park or facility dedicated primarily to ORV use would not be liable for unintentional injuries. SB6354 would allow an ORV park or facility to charge up to \$20/day without it being considered a "fee" under the recreational landowner liability statutes.

State and Local Park Funding

HB2416 would adopt the "Montana" method of funding state parks. \$5 would be added to motor vehicle registration fees, to be dedicated to state parks. The fee would not be required if the owner stated that the vehicle would not go to a state park. Under this bill the current parking fee would not be allowed. HB2422 would also adopt the \$5 increase to the vehicle registration fee and, in addition, divert 1.5% of the existing 1.28% real



estate excise tax to State Parks and an equal amount to IAC for the Youth Athletic Facilities Account. SB6556 would require an \$8 million appropriation to the State Parks Renewal and Stewardship Account every biennium. A system-wide parking fee would not be allowed.

NOVA and ORVs

HB2374 would require DNR to develop motorized access plans for DNR lands in order to get the agency's statutory 36% share of the NOVA fuel tax revenues. If the plans are not developed, the revenues would be diverted to IAC. HB2727 would require a federal agency to have an ORV management plan that designates areas allowing ORV use in order to be eligible for an IAC NOVA grant.

HB2658 would direct IAC to provide a NOVA grant for the development of a statewide Internet database of public ORV trails, parks and riding areas. In HB2832, the administrative funds collected by the Department of Licensing for administering NOVA funds would be reduced from a maximum of 18% to a maximum of 5% or \$100,000, whichever is lower. This would increase the amount of funding available for IAC NOVA grants.

SB6355 would reduce the noise limit of ORVs from 105 db to 96 db, require DNR to form a working group to develop policy strategies relating to ORV access, and appropriate \$100,000 to IAC for NOVA EE grants. This bill is the result of the work by the ORV Task Force in 2005. However, the bill does not include a non-motorized representative on the working group.

SB6687 and SSB6688 both direct Ecology to evaluate adverse effects of ORV noise in residential areas and authorize NOVA Education and Enforcement (E&E) grants to fund enforcement of ORV noise complaints. SB6688 also implements the noise limit reduction recommended by the Task Force, and establishes the DNR working group, including a non-motorized representative.

Acquisition and Disposal of State Habitat and Recreation Land

SB6625 is a response to IAC's *Coordinated Strategy for Habitat and Recreation Land Acquisition* report (the "SB6242 report"). The bill creates a Habitat and Recreation Lands Coordinating Group to coordinate planning of WDFW, Parks and DNR habitat and recreation land acquisition and disposal, centralizing acquisition of data, and monitoring the success of acquisitions. The bill prohibits expenditure of "unanticipated receipts" for land acquisition without authorization by the Legislature.

Miscellaneous

HB2990 and SB6610 promote underwater viewing of marine life and other natural attractions. IAC would participate in holding a "working conference" on promoting underwater viewing tourism.

Senate Confirmations of IAC Members

All of the IAC citizen members are up for Senate Confirmation. Last year the Senate Natural Resources, Ocean and Recreation Committee did not hold confirmation hearings, but is anticipated to do so this year.

Supplemental and Operating Budgets

None of the IAC budget requests were included in the Governor's budget except for a technical adjustment related to IAC reappropriations in the Capital Budget and authorization to spend federal NRTP revenues.