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**SECOND SUBSTITUTE SENATE BILL 5691**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Brandland, Jacobsen, Shin, and Parlette)

READ FIRST TIME 03/02/09.

1       AN ACT Relating to improving boating programs; adding a new section  
2 to chapter 79A.05 RCW; and creating new sections.

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

4       NEW SECTION. **Sec. 1.** It is the intent of the legislature to begin  
5 the process of improving the recreational boating programs of the state  
6 of Washington by quantifying the various individual program needs;  
7 reviewing boating revenues and expenditures; developing program  
8 standards and expectations; and providing options for increasing  
9 administrative efficiencies. It is the intent of the legislature to  
10 both increase opportunities for and enjoyment of recreational boating  
11 and to reduce boating fatalities and injuries, and increase the general  
12 safety of Washington's waterways.

13       NEW SECTION. **Sec. 2.** Within funds appropriated for this specific  
14 purpose from the recreation resource account under RCW 79A.25.070, the  
15 recreation and conservation office, in consultation with the Washington  
16 state parks and recreation commission, recreational boating  
17 stakeholders, and the Washington association of sheriffs and police  
18 chiefs, shall:

1 (1) Contract for a quantification of the needs identified in the  
2 study conducted pursuant to RCW 79A.60.680(1); and for addressing the  
3 recommendations provided in the Washington state boaters survey  
4 regarding safety, education, and law enforcement, conducted for the  
5 state parks and recreation commission in 2007, and the report on  
6 methods to achieve safer boating practices, conducted by the state  
7 parks and recreation commission in 2003;

8 (2) Identify expectations and develop program standards for  
9 recreational boating programs including, but not limited to, marine law  
10 enforcement programs;

11 (3) Establish methods of determining state and local responsibility  
12 for recreational boating programs;

13 (4) Establish standards for evaluating the effectiveness of  
14 recreational boating programs;

15 (5) Consider various models for state management of recreational  
16 boating programs including, but not limited to, the model provided by  
17 the Oregon marine board;

18 (6) Establish a plan for standardized and specialized training and  
19 training opportunities for local and state marine law enforcement,  
20 including training regarding boating safety laws and boating accident  
21 investigation;

22 (7) Identify best practices for the provision of safety information  
23 and practical education to boaters in the field, including law  
24 enforcement safety and equipment checks;

25 (8) Identify best practices for law enforcement on-the-water  
26 activities including patrols, prevention, and education activities, and  
27 search and rescue; and

28 (9) Review the funding and expenditures of the state's recreational  
29 boating programs including, but not limited to, the federal safety  
30 grant program administered through the United States coast guard.

31 NEW SECTION. **Sec. 3.** (1) After completing the requirements  
32 provided in section 2 of this act, and in consultation with the office  
33 of financial management and the office of the governor, the recreation  
34 and conservation office shall report its findings and make  
35 recommendations for increasing efficiencies in the administration of  
36 the state's recreational boating programs, including any potential

1 merger of programs and any potential transfer of programs among state  
2 and local agencies.

3 (2) The recreation and conservation office shall submit a  
4 preliminary report to the governor and the appropriate committees of  
5 the legislature by January 1, 2010, and a final report to the governor  
6 and the appropriate committees of the legislature by December 1, 2010.  
7 The report shall include suggested timelines for implementation of the  
8 recommendations and shall state whether the recommendations require  
9 legislative action or additional funding.

10 NEW SECTION. **Sec. 4.** A new section is added to chapter 79A.05 RCW  
11 to read as follows:

12 The commission shall designate the department of fish and wildlife  
13 as an approved boating program. The department of fish and wildlife  
14 shall submit its boating safety data to the commission for the purpose  
15 of (1) obtaining increased federal matching funds and (2) permitting  
16 the department of fish and wildlife to compete for funds administered  
17 by the commission. The department of fish and wildlife shall not be  
18 eligible to receive or compete for any funding collected and  
19 distributed pursuant to RCW 88.02.040.

20 NEW SECTION. **Sec. 5.** This act may be referred to as the  
21 recreational boating services and safety improvement act of 2009.

22 NEW SECTION. **Sec. 6.** If specific funding for the purposes of this  
23 act, referencing this act by bill or chapter number, is not provided by  
24 June 30, 2009, in the omnibus appropriations act, this act is null and  
25 void.

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