
SUBSTITUTE SENATE BILL 5133

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Ecology & Parks (originally sponsored by Senators Talmadge, Pelz, Moore, Skratek, Owen, A. Smith, Winsley and McAuliffe)

Read first time 03/02/93.

1 AN ACT Relating to enhancement of youth recreation opportunities;
2 amending RCW 9A.36.031; adding new sections to chapter 43.99 RCW;
3 adding new sections to chapter 43.131 RCW; adding a new chapter to
4 Title 67 RCW; prescribing penalties; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that there are an
7 insufficient number of youth recreational facilities within our state
8 and that the lack of these facilities has discouraged the formation of
9 and participation in youth team sports. Many local governments,
10 community groups, and private citizens have expressed a willingness to
11 participate in the purchase, construction, and renovation of local
12 youth recreational facilities if funding is available.

13 The legislature recognizes that existing recreational centers could
14 better serve their communities if the centers could extend their
15 current hours of operation. The legislature also acknowledges that
16 insufficient resources are devoted to injury prevention, and to
17 comprehensive training programs for referees, umpires, and coaches.

1 NEW SECTION. **Sec. 2.** Unless the context clearly requires
2 otherwise, as used in this chapter "youth recreational facilities"
3 means any field, park, court, structure, equipment, or building
4 dedicated to the primary purpose of providing youth with a place to
5 engage in organized physical activities, sports, or physical exercise,
6 and available to youth of either gender on any equitable basis.

7 NEW SECTION. **Sec. 3.** (1) The youth recreation account is hereby
8 created in the custody of the state treasurer. All earnings of
9 investments of balances in the youth recreation account shall remain in
10 the fund and be available for distribution.

11 (2) Moneys deposited in or appropriated to the account shall be
12 distributed by the interagency committee for outdoor recreation as
13 provided in section 5 of this act. The account is subject to allotment
14 procedures under chapter 43.88 RCW, but no appropriation is required
15 for expenditures.

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.99 RCW
17 to read as follows:

18 (1) The committee shall establish and appoint a youth recreation
19 advisory committee. The advisory committee shall include the following
20 members: The director of the state parks and recreation commission, or
21 the director's designee; three representatives from professional or
22 collegiate sports teams; three representatives from youth sports teams;
23 two representatives from local governments, one each from eastern and
24 western Washington; two representatives from private nonprofit
25 entities; and the president of the Washington park and recreation
26 association, or the president's designee.

27 (2) The advisory committee shall review all applications for
28 funding of the purchase and construction of youth recreational
29 facilities from the youth recreation account, and shall make funding
30 recommendations to the director.

31 (3) Per diem and mileage for the three representatives from youth
32 sports teams shall be established pursuant to RCW 43.03.240.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.99 RCW
34 to read as follows:

35 (1) The committee shall distribute the moneys contained in the
36 youth recreation account created in section 3 of this act, through

1 grants to local governments, public agencies, park districts, schools,
2 or private nonprofit entities who act in conjunction with a local
3 government, for: (a) The purchase, construction, and renovation of
4 recreational facilities for youth; (b) the extension of hours for
5 existing recreational centers; (c) sports medicine research in the
6 field of injury prevention; and (d) comprehensive training programs for
7 referees, umpires, managers, and coaches of youth recreational
8 activities and sports.

9 (2) The committee shall adopt, by rule, standards for determining
10 the eligibility and approval of the grant applications and the
11 priorities therefor, and shall have final authority to approve or deny
12 funding for such projects. The committee also shall adopt, by rule,
13 standards for the use of the youth recreational facilities that receive
14 funds under this section to ensure that youth are given preeminence and
15 that the facilities funded are available to youth of both genders on an
16 equitable basis.

17 (3) The committee may use up to twelve and one-half percent or five
18 hundred thousand dollars, whichever is less, of the youth recreation
19 account funds available during each fiscal year for the purposes of:
20 (a) Contracting with the University of Washington to conduct research
21 on injury prevention techniques in youth sports and for the
22 dissemination of the research findings and recommendations to the
23 public; and (b) the development and presentation of comprehensive
24 training programs for referees, umpires, managers, and coaches involved
25 in youth team sports.

26 (4) For the purposes of this section a "comprehensive training
27 program" means a program that includes the following subjects in its
28 curriculum: Injury prevention; safety techniques; coaching techniques;
29 sportsmanship; the psychological, emotional, and physical needs of
30 youth; and general youth program management skills.

31 (5) The committee shall require that grants for the purchase,
32 construction, and renovation of youth recreational facility projects be
33 matched by nonstate resources. The nonstate resources may be in the
34 form of cash or in-kind resources. The committee shall also give
35 priority for projects located in communities with the greatest need for
36 the youth recreational facilities. The committee shall, to the extent
37 possible, ensure the geographical diversity of the projects.

1 (6) The grants to local governments shall not be used to supplant
2 any existing funds or resources dedicated to the purchase,
3 construction, or renovation of parks or other recreational facilities.

4 (7) The committee shall administer the grants program required by
5 this section and shall provide administrative and staff support to the
6 youth recreational advisory committee. Expenses directly incurred for
7 administering this program may be charged by the interagency committee
8 for outdoor recreation against the youth recreation account. Expenses
9 shall not exceed thirteen percent of funds available from the account
10 for the 1993-1995 biennium, and thereafter shall not exceed ten percent
11 of the funds available from the account.

12 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act may be
13 known and cited as the youth recreation act.

14 NEW SECTION. **Sec. 7.** Any sponsor, referee, umpire, judge,
15 manager, or coach who is participating in an organized physical
16 activity or sport is immune from suit in any civil action based on his
17 or her good faith acts conducted in the performance of his or her
18 duties as a sponsor, referee, umpire, judge, manager, or coach. Except
19 for sponsors, the immunity granted in this section shall only apply to
20 persons: (1) Who perform the duties of a referee, umpire, judge,
21 manager, or coach for youth activities or sports, or to persons who
22 perform the duties on a voluntary basis or for a nominal fee; and (2)
23 who have completed a comprehensive training program as defined in
24 section 5(4) of this act.

25 **Sec. 8.** RCW 9A.36.031 and 1990 c 236 s 1 are each amended to read
26 as follows:

27 (1) A person is guilty of assault in the third degree if he or she,
28 under circumstances not amounting to assault in the first or second
29 degree:

30 (a) With intent to prevent or resist the execution of any lawful
31 process or mandate of any court officer or the lawful apprehension or
32 detention of himself or another person, assaults another; or

33 (b) Assaults a person employed as a transit operator or driver by
34 a public or private transit company while that person is operating or
35 is in control of a vehicle that is owned or operated by the transit
36 company and that is occupied by one or more passengers; or

1 (c) Assaults a school bus driver employed by a school district or
2 a private company under contract for transportation services with a
3 school district while the driver is operating or is in control of a
4 school bus that is occupied by one or more passengers; or

5 (d) With criminal negligence, causes bodily harm to another person
6 by means of a weapon or other instrument or thing likely to produce
7 bodily harm; or

8 (e) Assaults a fire fighter or other employee of a fire department
9 or fire protection district who was performing his or her official
10 duties at the time of the assault; or

11 (f) With criminal negligence, causes bodily harm accompanied by
12 substantial pain that extends for a period sufficient to cause
13 considerable suffering; or

14 (g) Assaults a law enforcement officer or other employee of a law
15 enforcement agency who was performing his or her official duties at the
16 time of the assault; or

17 (h) Assaults a referee, umpire, judge, manager, or coach of an
18 organized physical activity or sporting event, either during or
19 immediately following the activity or event.

20 (2) Assault in the third degree is a class C felony.

21 NEW SECTION. Sec. 9. The youth recreation act shall be terminated
22 on June 30, 1999, as provided in section 10 of this act.

23 NEW SECTION. Sec. 10. The following acts or parts of acts, as now
24 existing or hereafter amended, are each repealed, effective June 30,
25 2000:

26 (1) RCW 67.---.-- and 1993 c ... s 1 (section 1 of this act);

27 (2) RCW 67.---.-- and 1993 c ... s 2 (section 2 of this act);

28 (3) RCW 67.---.-- and 1993 c ... s 3 (section 3 of this act);

29 (4) RCW 43.99.-- and 1993 c ... s 4 (section 4 of this act);

30 (5) RCW 43.99.-- and 1993 c ... s 5 (section 5 of this act); and

31 (6) RCW 67.---.-- and 1993 c ... s 6 (section 6 of this act).

32 NEW SECTION. Sec. 11. (1) Sections 1 through 3, 6, and 7 of this
33 act shall constitute a new chapter in Title 67 RCW.

34 (2) Sections 9 and 10 of this act are each added to chapter 43.131
35 RCW.

1 NEW SECTION. **Sec. 12.** This act shall take effect January 1, 1994.

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