
SENATE BILL 6235

State of Washington

55th Legislature

1998 Regular Session

By Senator Jacobsen

Read first time . Referred to Committee on .

1 AN ACT Relating to community athletic facilities; adding a new
2 chapter to Title 43 RCW; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that
5 coordinated efforts are needed to maintain, develop, and improve the
6 state's community athletic facilities. Rapid population growth and
7 increased urbanization have caused a decline in suitable facilities for
8 community athletic activities and has resulted in overcrowding and
9 deterioration of existing facilities. Lack of adequate community
10 athletic facilities directly affects the health and well-being of all
11 citizens of the state, reduces the state's economic viability, and
12 prevents Washington from maintaining and achieving the quality of life
13 that it deserves. It is therefore the policy of the state and its
14 agencies to maintain, develop, and improve community athletic
15 facilities.

16 (2) In carrying out this policy, the mission of the community
17 athletic facilities council and its staff is to:

1 (a) Create and work actively for the implementation of unified
2 state-wide strategy for meeting the community athletic facilities needs
3 of Washington's citizens;

4 (b) Represent and promote the interests of the state on community
5 athletic facilities issues in concert with other state and local
6 agencies and the governor;

7 (c) Encourage and provide interagency and regional coordination,
8 and interaction between public and private organizations;

9 (d) Administer community athletic facility grant-in-aid programs
10 and provide technical assistance; and

11 (e) Serve as a repository for information, studies, research, and
12 other data relating to the acquisition, development, equipping,
13 maintaining, and improvement of community athletic facilities.

14 NEW SECTION. **Sec. 2.** The definitions in this section apply
15 throughout this chapter unless the context clearly requires otherwise.

16 (1) "Community athletic facility" means any land with or without
17 improvements, or any building, which land or building may be used for
18 athletic activities by any person under nineteen years of age.

19 (2) "Council" means the community athletic facilities council.

20 (3) "Director" means the director of the community athletic
21 facilities council.

22 (4) "Account" means the youth athletic facility grant account
23 created in RCW 43.99N.060(4).

24 NEW SECTION. **Sec. 3.** There is created the community athletic
25 facilities council consisting of the director of parks and recreation
26 and the director of the interagency committee for outdoor recreation,
27 or their designees, and, by appointment of the governor, five members
28 from the public at large who have a demonstrated interest in and a
29 general knowledge of community athletics in the state. In appointing
30 members from the public at large, the governor must use his or her best
31 efforts to achieve a balance among members based upon factors of
32 geographic, racial, ethnic, and gender diversity. The terms of members
33 appointed from the public at large shall commence on January 1st of the
34 year of appointment and shall be for three years or until a successor
35 is appointed, except in the case of appointments to fill vacancies,
36 which shall be for the remainder of the unexpired term. However, the
37 first members shall be appointed for terms as follows: One member for

1 one year, two members for two years, and two members for three years.
2 The governor shall appoint one of the members from the public at large
3 to serve as chair of the council for the duration of the member's term.
4 Members employed by the state shall serve without additional pay and
5 participation in the work of the council shall be deemed performance of
6 their employment. Members from the public at large shall be
7 compensated in accordance with RCW 43.03.240 and shall be entitled to
8 reimbursement individually for travel expenses incurred in performance
9 of their duties as members of the council in accordance with RCW
10 43.03.050 and 43.03.060.

11 NEW SECTION. **Sec. 4.** The director shall be appointed by, and
12 serve at the pleasure of, the governor. The governor shall select the
13 director from a list of three candidates submitted by the council.
14 However, the governor may request and the council shall provide an
15 additional list or lists from which the governor may select the
16 director. The lists compiled by the council shall not be subject to
17 public disclosure. The director shall have background and experience
18 in the areas of community athletics management and policy. The
19 director shall be paid a salary to be fixed by the governor in
20 accordance with the provisions of RCW 43.03.040.

21 NEW SECTION. **Sec. 5.** The council has the following powers and
22 duties:

23 (1) To prepare and update a strategic plan for the development,
24 maintenance, and improvement of community athletic facilities in the
25 state. The plan must be prepared in coordination with the office of
26 the governor and the office of financial management, with participation
27 of federal, state, and local agencies having community athletic
28 responsibilities, user groups, private sector interests, and the
29 general public. The council shall submit the plan and its policy
30 recommendations to the governor. The plan shall include, but is not
31 limited to:

- 32 (a) An inventory of current community athletic facilities;
33 (b) A forecast of demand for these facilities;
34 (c) An identification and analysis of actual and potential funding
35 sources;
36 (d) A process for broad scale information gathering;

1 (e) An assessment of the capabilities and constraints, both
2 internal and external to state government, that affect the ability of
3 the state to achieve the goals of the plan;

4 (f) An analysis of strategic options and decisions available to the
5 state;

6 (g) An implementation strategy that is coordinated with executive
7 policy and budget priorities; and

8 (h) The elements necessary to qualify for participation in or the
9 receipt of aid from any federal program for community athletic
10 facilities;

11 (2) Notwithstanding other provisions of law, to establish the
12 eligibility criteria for cities, counties, and qualified nonprofit
13 organizations in applying and qualifying for grants from the account;

14 (3) To encourage and provide opportunities for interagency and
15 regional coordination and cooperative efforts between public agencies
16 and between public and private entities involved in the maintenance,
17 development, and improvement of community athletic facilities;

18 (4) To appoint technical and other committees as may be necessary
19 to carry out the purposes of this chapter; and

20 (5) To create and maintain a repository for data, studies,
21 research, and other information relating to community athletic
22 facilities in the state, and to encourage the interchange of such
23 information.

24 NEW SECTION. **Sec. 6.** The director has the following powers and
25 duties:

26 (1) To appoint personnel as may be necessary to carry out the
27 duties of the council;

28 (2) To supervise the administrative operations of the council and
29 its staff;

30 (3) To administer community athletic facility grant-in-aid programs
31 and provide technical assistance to cities, counties, and qualified
32 nonprofit organizations;

33 (4) To represent and promote the interests of the state on
34 community athletic facilities issues and further the mission of the
35 council; and

36 (5) Upon approval of the council, to enter into contracts and
37 agreements with private nonprofit corporations to further state goals

1 of maintaining, developing, and improving community athletic facilities
2 for the public benefit and use.

3 NEW SECTION. **Sec. 7.** The director, or the director's designee,
4 shall be a member of the interagency committee for outdoor recreation.

5 NEW SECTION. **Sec. 8.** When requested by the council, members
6 employed by the state shall furnish assistance to the council from
7 their departments for the analysis and review of proposed plans and
8 projects, and the assistance shall be a proper charge against the
9 appropriations to the several agencies represented on the council.
10 Assistance may be in the form of money, personnel, or equipment and
11 supplies, whichever is most suitable to the needs of the council.

12 NEW SECTION. **Sec. 9.** The council shall administer the account in
13 accordance with this chapter, the relevant provisions of RCW
14 43.99N.060(4), and chapter 67.32 RCW and hold it separate and apart
15 from all other money, funds, and accounts of the council.
16 Notwithstanding any other provisions of law, only the director, or the
17 director's designee, may authorize expenditures from the account and
18 may expend up to one and one-half percent of the moneys deposited in
19 the account for administrative purposes. Grants, gifts, or other
20 financial assistance, proceeds received as administrative cost
21 contributions, and moneys made available to the state of Washington by
22 the federal government for community athletic facilities may be
23 deposited into the account.

24 NEW SECTION. **Sec. 10.** The legislature may appropriate funds
25 requested in the budget for grants from the account to the council for
26 allocation and disbursement.

27 NEW SECTION. **Sec. 11.** Interest earned on funds granted or made
28 available by the council may not be expended by the recipient but must
29 be returned to the source account for disbursement by the council in
30 accordance with general budget and accounting procedure.

31 NEW SECTION. **Sec. 12.** Community athletic facilities with respect
32 to which money has been expended from the account may not, without the
33 approval of the council, be converted to uses other than those for

1 which the expenditure was originally approved. The council may only
2 approve such a conversion upon conditions that will assure the
3 substitution of other community athletic facilities of at least equal
4 fair market value at the time of conversion and of as nearly as
5 feasible equivalent usefulness and location.

6 NEW SECTION. **Sec. 13.** The council may apply to any appropriate
7 agency or officer of the United States for participation in or the
8 receipt of aid from a federal program respecting community athletic
9 facilities not specifically designated for another fund or agency. It
10 may enter into contracts and agreements with the United States or an
11 appropriate agency thereof, keep financial and other records relating
12 thereto, and furnish to appropriate officials and agencies of the
13 United States reports and information as may be reasonably necessary to
14 enable the officials and agencies to perform their duties under the
15 programs.

16 NEW SECTION. **Sec. 14.** This chapter may be known and cited as the
17 community athletic facilities act.

18 NEW SECTION. **Sec. 15.** If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

22 NEW SECTION. **Sec. 16.** This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and takes effect
25 immediately.

26 NEW SECTION. **Sec. 17.** Sections 1 through 16 of this act
27 constitute a new chapter in Title 43 RCW.

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