

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5139**

55th Legislature  
1997 Regular Session

Passed by the Senate March 6, 1997  
YEAS 48 NAYS 0

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**President of the Senate**

Passed by the House April 10, 1997  
YEAS 98 NAYS 0

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**Speaker of the  
House of Representatives**

Approved

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5139** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**SENATE BILL 5139**

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Passed Legislature - 1997 Regular Session

**State of Washington                      55th Legislature                      1997 Regular Session**

**By** Senators Oke, Snyder, Swecker and Winsley; by request of Parks and Recreation Commission

Read first time 01/16/97. Referred to Committee on Natural Resources & Parks.

1            AN ACT Relating to the state parks and recreation commission fiscal  
2 matters; amending RCW 43.51.050, 43.51.052, 43.51.090, 43.51.685, and  
3 70.88.070; providing an effective date; and declaring an emergency.

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

5            **Sec. 1.** RCW 43.51.050 and 1987 c 225 s 1 are each amended to read  
6 as follows:

7            The commission may:

8            (1) Study and appraise parks and recreational needs of the state  
9 and assemble and disseminate information relative to parks and  
10 recreation;

11            (2) Make provisions for the publication and sale (~~(in state parks~~  
12 ~~facilities)) of interpretive, recreational, and historical materials  
13 and literature. Proceeds from such sales shall be directed to the  
14 parks improvement account; and~~

15            (3) Coordinate the parks and recreational functions of the various  
16 state departments, and cooperate with state and federal agencies in the  
17 promotion of parks and recreational opportunities.

1       **Sec. 2.** RCW 43.51.052 and 1987 c 225 s 2 are each amended to read  
2 as follows:

3       The parks improvement account is hereby established in the state  
4 treasury. The parks and recreation commission shall deposit all moneys  
5 received from the sale of interpretive, recreational, and historical  
6 literature and materials in this account. Moneys in the account may be  
7 spent only for development, production, and distribution costs  
8 associated with literature and materials(~~(, and for enhancements to~~  
9 ~~park facilities that are supplementary to those improvements approved~~  
10 ~~through the appropriation process)~~). Disbursements from the account  
11 shall be on the authority of the director of the parks and recreation  
12 commission, or the director's designee. The account is subject to the  
13 allotment procedure provided under chapter 43.88 RCW. No appropriation  
14 is required for disbursement of moneys to be used for support of  
15 further production of materials provided for in RCW 43.51.050(2) (~~but~~  
16 ~~any moneys to be used for other capital or operating purposes must be~~  
17 ~~appropriated)~~). The director may transfer a portion of the moneys in  
18 this account to the state parks renewal and stewardship account and may  
19 expend moneys so transferred for any purpose provided for in RCW  
20 43.51.275.

21       **Sec. 3.** RCW 43.51.090 and 1969 c 99 s 2 are each amended to read  
22 as follows:

23       The commission may receive in trust any money donated or bequeathed  
24 to it, and carry out the terms of such donation or bequest, or, in the  
25 absence of such terms, expend the same as it may deem advisable for  
26 park or parkway purposes.

27       Money so received shall be deposited in the state (~~general fund~~)  
28 parks renewal and stewardship account.

29       **Sec. 4.** RCW 43.51.685 and 1995 c 203 s 1 are each amended to read  
30 as follows:

31       Lands within the Seashore Conservation Area shall not be sold,  
32 leased, or otherwise disposed of, except as herein provided. The  
33 commission may, under authority granted in RCW 43.51.210 and 43.51.215,  
34 exchange state park lands in the Seashore Conservation Area for lands  
35 of equal value to be managed by the commission consistent with this  
36 chapter. Only state park lands lying east of the Seashore Conservation  
37 Line, as it is located at the time of exchange, may be so exchanged.

1 The department of natural resources may lease the lands within the  
2 Washington State Seashore Conservation Area as well as the accreted  
3 lands along the ocean in state ownership for the exploration and  
4 production of oil and gas: PROVIDED, That oil drilling rigs and  
5 equipment will not be placed on the Seashore Conservation Area or  
6 state-owned accreted lands.

7 Sale of sand from accretions shall be made to supply the needs of  
8 cranberry growers for cranberry bogs in the vicinity and shall not be  
9 prohibited if found by the commission to be reasonable, and not  
10 generally harmful or destructive to the character of the land:  
11 PROVIDED, That the commission may grant leases and permits for the  
12 removal of sands for construction purposes from any lands within the  
13 Seashore Conservation Area if found by the commission to be reasonable  
14 and not generally harmful or destructive to the character of the land:  
15 PROVIDED FURTHER, That net income from such leases shall be deposited  
16 in the ~~((general fund))~~ state parks renewal and stewardship account.

17 **Sec. 5.** RCW 70.88.070 and 1990 c 136 s 1 are each amended to read  
18 as follows:

19 The expenses incurred in connection with making inspections under  
20 this chapter shall be paid by the owner or operator of such  
21 recreational devices either by reimbursing the commission for the costs  
22 incurred or by paying directly such individuals or firms that may be  
23 engaged by the commission to accomplish the inspection service.  
24 Payment shall be made only upon notification by the commission of the  
25 amount due. The commission shall maintain accurate and complete  
26 records of the costs incurred for each inspection and plan review for  
27 construction approval and shall assess the respective owners or  
28 operators of said recreational devices only for the actual costs  
29 incurred by the commission for such safety inspections and plan review  
30 for construction approval. The costs as assessed by the commission  
31 shall be a lien on the equipment of the owner or operator of the  
32 recreational devices so inspected. Such moneys collected by the  
33 commission ~~((hereunder))~~ under this section shall be paid into the  
34 state parks renewal and ~~((parkways))~~ stewardship account ~~((of the~~  
35 ~~general fund))~~.

36 NEW SECTION. **Sec. 6.** This act is necessary for the immediate  
37 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect  
2 July 1, 1997.

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