
SUBSTITUTE SENATE BILL 5295

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Natural Resources, Parks & Shorelines
(originally sponsored by Senators Jacobsen, Swecker, Regala, Haugen
and Oke)

READ FIRST TIME 02/21/01.

1 AN ACT Relating to creating the Washington wildlife
2 conservation foundation; and adding a new chapter to Title 77 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the wildlife
5 resources of the state are highly valued. The programs, activities,
6 and policies of the state that preserve, protect, and manage
7 wildlife and provide public access for viewing and for hunting are
8 critical to the resource. The abundance of wildlife and conditions
9 for wildlife could be further improved by the establishment of a
10 nonprofit wildlife conservation foundation. It is the intent of the
11 legislature to protect and enhance the wildlife conservation
12 capabilities of the state, to increase the abundance of wildlife,
13 and to ensure the stability of wildlife populations through
14 private benefactors contributing to a nonprofit wildlife
15 conservation foundation.

16 Providing a tax-deductible method for individuals and groups to
17 contribute in this manner would benefit the wildlife of the
18 state. Several states have created nonprofit wildlife conservation

1 foundations that are successful in raising millions of dollars
2 every year for the stewardship of wildlife resources. Therefore,
3 the legislature finds that it is in the public interest to create
4 a nonprofit foundation for the purpose of increasing funds
5 available for the preservation, protection, and management of the
6 state's wildlife.

7 NEW SECTION. **Sec. 2.** The definitions in this section apply
8 throughout this chapter, unless the context clearly requires
9 otherwise.

10 (1) "Foundation" means the Washington wildlife conservation
11 foundation created in section 3 of this act.

12 (2) "Board" means the Washington wildlife conservation
13 foundation board of directors created in section 5 of this act.

14 NEW SECTION. **Sec. 3.** The board shall file articles of
15 incorporation in accordance with the Washington nonprofit
16 corporation act, chapter 24.03 RCW, to establish the Washington
17 wildlife conservation foundation. The foundation shall not be an
18 agency, instrumentality, or political subdivision of the state.

19 NEW SECTION. **Sec. 4.** The purpose of the foundation is to:

20 (1) Improve the abundance and conditions for wildlife within
21 the state while working in concert with the charitable,
22 educational, scientific, and recreational programs, projects, and
23 policies of the state;

24 (2) Solicit and accept aid or contributions consistent with the
25 stated intent of the donor and the goals of the foundation;

26 (3) Solicit and accept grants for the acquisition,
27 construction, improvement, and development of state agency
28 projects;

29 (4) Solicit and accept private funding and donations that
30 assist in enhancing and preserving Washington's wildlife species
31 and the habitats upon which they depend.

32 NEW SECTION. **Sec. 5.** (1) The foundation shall have a board of
33 directors consisting of nine members. The fish and wildlife

1 commission must appoint nine members to the board by September 1,
2 2001. No member of the board may be an active state employee.

3 (2) No member of the board may receive compensation or a per
4 diem.

5 (3) Members shall serve four-year terms. Of the initial members,
6 one must be appointed for a one-year term, one must be appointed
7 for a two-year term, one must be appointed for a three-year term,
8 and the remainder must be appointed for a four-year term. Members
9 of the board may serve up to a maximum of three terms. At the end
10 of a term, a member may continue to serve until a successor has
11 been appointed.

12 (4) The board shall meet and organize, and may designate by a
13 majority vote a treasurer, secretary, or any additional officers
14 needed to carry out the activities of the foundation. The board
15 shall adopt bylaws of the foundation.

16 NEW SECTION. **Sec. 6.** The foundation may accept gifts or grants
17 from any governmental agency or from any person, firm, or
18 corporation. The foundation may expend receipts on activities
19 consistent with the purposes of the foundation in section 4 of
20 this act, and in a manner consistent with any requirement of the
21 grant, gift, or bequest.

22 Funds collected by the foundation shall be considered private
23 funds and shall be held in an appropriate account outside of the
24 state treasury. The foundation may contract with the state auditor
25 or with a private auditor for an audit of funds. The foundation and
26 its officers are responsible for the approval and recording of
27 receipts, approval of payments, and the proper filing of required
28 reports. Funds provided by the foundation may not be used to
29 supplant any local, state, or federal funding source.

30 NEW SECTION. **Sec. 7.** The foundation must comply with the
31 requirements of the open public meetings act, chapter 42.30 RCW.

32 NEW SECTION. **Sec. 8.** If any provision of this act or its
33 application to any person or circumstance is held invalid, the
34 remainder of the act or the application of the provision to other
35 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act
2 constitute a new chapter in Title 77 RCW.

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