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SENATE BILL 6387

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State of Washington

62nd Legislature

2012 Regular Session

By Senator Ranker

Read first time 01/19/12. Referred to Committee on Energy, Natural Resources & Marine Waters.

1 AN ACT Relating to state parks, recreation, and natural resources  
2 fiscal matters; amending RCW 3.62.020 and 7.84.100; amending 2011 2nd  
3 sp.s. c 9 s 303 (uncodified); and declaring an emergency.

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

5 **Sec. 1.** RCW 3.62.020 and 2011 1st sp.s. c 44 s 1 are each amended  
6 to read as follows:

7 (1) Except as provided in subsection (4) of this section, all  
8 costs, fees, fines, forfeitures and penalties assessed and collected in  
9 whole or in part by district courts, except costs, fines, forfeitures  
10 and penalties assessed and collected, in whole or in part, because of  
11 the violation of city ordinances, shall be remitted by the clerk of the  
12 district court to the county treasurer at least monthly, together with  
13 a financial statement as required by the state auditor, noting the  
14 information necessary for crediting of such funds as required by law.

15 (2) Except as provided in RCW 10.99.080, 7.84.100(4), and this  
16 section, the county treasurer shall remit thirty-two percent of the  
17 noninterest money received under subsection (1) of this section except  
18 certain costs to the state treasurer. "Certain costs" as used in this  
19 subsection, means those costs awarded to prevailing parties in civil

1 actions under RCW 4.84.010 or 36.18.040, or those costs awarded against  
2 convicted defendants in criminal actions under RCW 10.01.160,  
3 10.46.190, or 36.18.040, or other similar statutes if such costs are  
4 specifically designated as costs by the court and are awarded for the  
5 specific reimbursement of costs incurred by the state or county in the  
6 prosecution of the case, including the fees of defense counsel. With  
7 the exception of funds to be transferred to the judicial stabilization  
8 trust account under RCW 3.62.060(2), money remitted under this  
9 subsection to the state treasurer shall be deposited in the state  
10 general fund.

11 (3) The balance of the noninterest money received by the county  
12 treasurer under subsection (1) of this section shall be deposited in  
13 the county current expense fund. Funds deposited under this subsection  
14 that are attributable to the county's portion of a surcharge imposed  
15 under RCW 3.62.060(2) must be used to support local trial court and  
16 court-related functions.

17 (4) Except as provided in RCW 7.84.100(4), all money collected for  
18 county parking infractions shall be remitted by the clerk of the  
19 district court at least monthly, with the information required under  
20 subsection (1) of this section, to the county treasurer for deposit in  
21 the county current expense fund.

22 (5) Penalties, fines, bail forfeitures, fees, and costs may accrue  
23 interest at the rate of twelve percent per annum, upon assignment to a  
24 collection agency. Interest may accrue only while the case is in  
25 collection status.

26 (6) Interest retained by the court on penalties, fines, bail  
27 forfeitures, fees, and costs shall be split twenty-five percent to the  
28 state treasurer for deposit in the state general fund, twenty-five  
29 percent to the state treasurer for deposit in the judicial information  
30 system account as provided in RCW 2.68.020, twenty-five percent to the  
31 county current expense fund, and twenty-five percent to the county  
32 current expense fund to fund local courts.

33 **Sec. 2.** RCW 7.84.100 and 1987 c 380 s 10 are each amended to read  
34 as follows:

35 (1) A person found to have committed an infraction shall be  
36 assessed a monetary penalty. No penalty may exceed five hundred  
37 dollars for each offense unless specifically authorized by statute.

1 (2) The supreme court may prescribe by rule a schedule of monetary  
2 penalties for designated infractions. The legislature requests the  
3 supreme court to adjust this schedule every two years for inflation.  
4 The maximum penalty imposed by the schedule shall be five hundred  
5 dollars per infraction and the minimum penalty imposed by the schedule  
6 shall be ten dollars per infraction. This schedule may be periodically  
7 reviewed by the legislature and is subject to its revision.

8 (3) Whenever a monetary penalty is imposed by a court under this  
9 chapter, it is immediately payable. If the person is unable to pay at  
10 that time, the court may, in its discretion, grant an extension of the  
11 period in which the penalty may be paid.

12 (4) The county treasurer shall remit the money received under RCW  
13 79A.80.080(5) to the state treasurer. Money remitted under this  
14 subsection to the state treasurer must be deposited in the recreation  
15 access pass account established under RCW 79A.80.090.

16 **Sec. 3.** 2011 2nd sp.s. c 9 s 303 (uncodified) is amended to read  
17 as follows:

18 **FOR THE STATE PARKS AND RECREATION COMMISSION**

19	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$8,955,000</del>
20	<del>General Fund--State Appropriation (FY 2013) . . . . .</del>	<del>\$8,379,000))</del>
21		<u>\$17,334,000</u>
22	General Fund--Federal Appropriation . . . . .	\$5,905,000
23	Winter Recreation Program Account--State Appropriation . . .	\$1,761,000
24	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$224,000
25	Snowmobile Account--State Appropriation . . . . .	\$4,848,000
26	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$363,000
27	Parks Renewal and Stewardship Account--State	
28	Appropriation . . . . .	\$116,087,000
29	Parks Renewal and Stewardship Account--Private/Local	
30	Appropriation . . . . .	\$300,000
31	TOTAL APPROPRIATION . . . . .	\$146,822,000

32 The appropriations in this section are subject to the following  
33 conditions and limitations:

34 (1) ((~~\$8,876,000~~)) \$17,334,000 of the general fund--state  
35 appropriation for fiscal year 2012 ((and ~~\$8,300,000 of the general~~  
36 ~~fund--state appropriation for fiscal year 2013 are~~)) is provided solely  
37 to operate and maintain state parks as the commission implements a new

1 fee structure. The goal of this structure is to make the parks system  
2 self-supporting. By August 1, 2012, state parks must submit a report  
3 to the office of financial management detailing its progress toward  
4 this goal and outlining any additional statutory changes needed for  
5 successful implementation. If the commission reduces staffing levels  
6 to meet the appropriated levels of this section, the commission shall  
7 first prioritize staffing reductions from vacant positions, headquarter  
8 and regional staff, and construction and maintenance staff, to the  
9 greatest extent possible, prior to reducing park ranger and enforcement  
10 officers.

11 (2) \$79,000 of the general fund--state appropriation for fiscal  
12 year 2012 and \$79,000 of the general fund--state appropriation for  
13 fiscal year 2013 are provided solely for a grant for the operation of  
14 the Northwest avalanche center.

15 (3) \$53,928,000 of the parks renewal and stewardship account--state  
16 appropriation is provided solely for implementation of Second  
17 Substitute Senate Bill No. 5622 (state land recreation access). If the  
18 bill is not enacted by June 30, 2011, the amount provided in this  
19 subsection shall lapse.

20 (4) Prior to closing any state park, the commission must notify all  
21 affected local governments and relevant nonprofit organizations of the  
22 intended closure and provide an opportunity for the notified local  
23 governments and nonprofit organizations to elect to acquire, or enter  
24 into, a maintenance and operating contract with the commission that  
25 would allow the park to remain open.

26 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
27 preservation of the public peace, health, or safety, or support of the  
28 state government and its existing public institutions, and takes effect  
29 immediately.

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