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SENATE BILL 6034

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State of Washington

63rd Legislature

2014 Regular Session

By Senators Pearson, Hargrove, McCoy, Mullet, and McAuliffe; by request of Parks and Recreation Commission

Read first time 01/14/14. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to state parks partnership opportunities; amending  
2 RCW 79A.05.335, 79A.05.340, 79A.05.345, 79A.70.010, 79A.70.020,  
3 79A.70.030, and 79A.70.040; and adding a new section to chapter 79A.05  
4 RCW.

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

6 **Sec. 1.** RCW 79A.05.335 and 1991 c 107 s 1 are each amended to read  
7 as follows:

8 The legislature finds that the parks and recreation lands owned and  
9 managed by the (~~state parks and recreation~~) commission are a  
10 significant collection of valuable scenic, natural, cultural, and  
11 historical(~~, and cultural~~) resources for the citizens of Washington  
12 state. The legislature further finds that if citizens understand and  
13 appreciate the (~~state park ecological resources, they will come to~~  
14 ~~appreciate and understand the ecosystems and natural resources~~  
15 ~~throughout the state~~) scenic, natural, cultural, and historical  
16 resources present in Washington's state parks, they will be inspired to  
17 conserve this important legacy for future generations. Therefore, the  
18 (~~state parks and recreation~~) commission may (~~increase the~~) use

1 ((of)) its facilities and resources to provide ((environmental))  
2 scenic, natural, cultural, or historical resource interpretation  
3 throughout the state parks system.

4 **Sec. 2.** RCW 79A.05.340 and 1991 c 107 s 2 are each amended to read  
5 as follows:

6 The ((state parks and recreation)) commission may provide  
7 ((environmental interpretative)) scenic, natural, cultural, or  
8 historical resource interpretive activities for visitors to state parks  
9 that:

10 (1) Explain the functions, history, significance, and cultural  
11 aspects of ecosystems;

12 (2) Explain the relationship between human needs, human behaviors  
13 and attitudes, and the environment; ((and))

14 (3) Explain the diverse human heritage and cultural changes over  
15 time in Washington state;

16 (4) Offer experiences and information to increase citizen  
17 understanding, appreciation, and stewardship of ((the environment and  
18 its multiple uses)) their natural, cultural, ethnic, and artistic  
19 heritage; and

20 (5) Explain the need for natural, cultural, and historical resource  
21 protection and preservation as well as the methods by which these goals  
22 can be achieved.

23 **Sec. 3.** RCW 79A.05.345 and 1991 c 107 s 3 are each amended to read  
24 as follows:

25 The ((state parks and recreation)) commission may consult and enter  
26 into agreements with and solicit assistance from ((private sector  
27 organizations and other governmental agencies that are interested in  
28 conserving and interpreting Washington's environment. The commission  
29 shall not permit commercial advertising in state park lands or  
30 interpretive centers as a condition of such agreements. Logos or  
31 credit lines for sponsoring organizations may be permitted. The  
32 commission shall maintain an accounting of all monetary gifts provided,  
33 and expenditures of monetary gifts shall not be used to increase  
34 personnel)) other public agencies, the state parks foundation, private  
35 entities, employee business units, and tribes that are interested in

1 stewarding and interpreting state parks scenic, natural, cultural, and  
2 recreational resources.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 79A.05 RCW  
4 to read as follows:

5 (1) When entering into any agreement under RCW 79A.05.345 or  
6 otherwise involving the management of state park land or a facility by  
7 a public or private partner, the commission shall consider, when  
8 appropriate:

9 (a) If the entity has an adequate source of available funding to  
10 assume the financial responsibilities of the agreement;

11 (b) If the entity has sufficient expertise to assume the scope of  
12 responsibilities of the agreement;

13 (c) If the agreement results in net financial benefits to the  
14 state; and

15 (d) If the agreement results in advancement of the commission's  
16 public purpose.

17 (2) Any agreement subject to this section must include specific  
18 performance measures. The performance measures must cover, but are not  
19 limited to, the entity's ability to manage financial operating costs,  
20 to adequately perform management responsibilities, and to address and  
21 respond to public concerns. The agreement must provide that failure to  
22 meet any performance measure may lead to the termination of the  
23 contract or requirements for remedial action to be taken before the  
24 agreement may be extended.

25 **Sec. 5.** RCW 79A.70.010 and 2000 c 25 s 2 are each amended to read  
26 as follows:

27 The purpose of the Washington state parks (~~gift~~) foundation is to  
28 solicit support for the state parks system, cooperate with other  
29 organizations, and to encourage gifts to support and improve the state  
30 parks.

31 **Sec. 6.** RCW 79A.70.020 and 2000 c 25 s 3 are each amended to read  
32 as follows:

33 The definitions in this section apply throughout this chapter(~~(7)~~)  
34 unless the context clearly requires otherwise.

1 (1) "Foundation" means the Washington state parks (~~gift~~)  
2 foundation(~~(7)~~) created in RCW 79A.70.030.

3 (2) "State parks" means that system of parks administered by the  
4 commission under this title.

5 (3) "Eligible grant recipients" includes any and all of the  
6 activities of the commission in carrying out the provisions of this  
7 title and friends groups or other organizations that propose projects  
8 or programs solely for the benefit of state parks.

9 (4) "Eligible projects" means any project, action, program, or part  
10 of any project (~~(or)~~) action, or program that serves to preserve,  
11 restore, improve, or enhance the state parks.

12 **Sec. 7.** RCW 79A.70.030 and 2000 c 25 s 4 are each amended to read  
13 as follows:

14 (1) By September 1, 2000, the commission shall file articles of  
15 incorporation in accordance with the Washington nonprofit corporation  
16 act, chapter 24.03 RCW, to establish the Washington state parks  
17 (~~gift~~) foundation. The foundation shall not be an agency,  
18 instrumentality, or political subdivision of the state and shall not  
19 disburse public funds.

20 (2) The foundation shall have a board of directors consisting of up  
21 to fifteen members, whose terms, method of appointment, and authority  
22 must be in accordance with the Washington nonprofit corporation act,  
23 chapter 24.03 RCW. (~~Initial members of the board shall be appointed~~  
24 ~~by the governor and collectively have experience in business,~~  
25 ~~charitable giving, outdoor recreation, and parks administration.~~  
26 ~~Initial appointments shall be made by September 30, 2000. Subsequent~~  
27 ~~board members shall be elected by the general membership of the~~  
28 ~~foundation.~~

29 (~~3) Members of the board shall serve three year terms, except for~~  
30 ~~the initial terms, which shall be staggered by the governor to achieve~~  
31 ~~a balanced mix of terms on the board. Members of the board may serve~~  
32 ~~up to a maximum of three terms. At the end of a term, a member may~~  
33 ~~continue to serve until a successor has been elected.))~~

34 **Sec. 8.** RCW 79A.70.040 and 2000 c 25 s 5 are each amended to read  
35 as follows:

1           (1) (~~As soon as practicable, the board of directors shall organize~~  
2 ~~themselves and the foundation suitably to carry out the duties of the~~  
3 ~~foundation, including achieving federal tax-exempt status.~~

4           ~~(2))~~ The foundation shall actively solicit contributions from  
5 individuals and groups for the benefit of the state parks.

6           ~~((3))~~ (2) The foundation shall develop criteria for guiding  
7 themselves in either the creation of an endowment, or the making of  
8 grants to eligible grant recipients and eligible projects in the state  
9 parks, or both.

10           ~~((4))~~ (3) A competitive grant process shall be conducted at least  
11 annually by the foundation to award funds (~~to the~~) for the benefit of  
12 state parks. Competitive grant applications shall only be submitted to  
13 the foundation by the commission, friends groups, or other  
14 organizations with projects or programs solely for the benefit of state  
15 parks. (~~The process shall be started as soon as practicable.~~)  
16 Grants shall be awarded to eligible projects consistent with the  
17 criteria developed by the foundation (~~and shall be available only for~~  
18 ~~state parks use on eligible projects~~)).

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