

HB 2991 - S AMD 359
By Senator Kastama

ADOPTED 03/03/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 35.61.130 and 1969 c 54 s 1 are each amended to read
4 as follows:

5 (1) A metropolitan park district has the right of eminent domain,
6 and may purchase, acquire and condemn lands lying within or without the
7 boundaries of said park district, for public parks, parkways,
8 boulevards, aviation landings and playgrounds, and may condemn such
9 lands to widen, alter and extend streets, avenues, boulevards,
10 parkways, aviation landings and playgrounds, to enlarge and extend
11 existing parks, and to acquire lands for the establishment of new
12 parks, boulevards, parkways, aviation landings and playgrounds. The
13 right of eminent domain shall be exercised and instituted pursuant to
14 resolution of the board of park commissioners and conducted in the same
15 manner and under the same procedure as is or may be provided by law for
16 the exercise of the power of eminent domain by incorporated cities and
17 towns of the state of Washington in the acquisition of property rights:
18 PROVIDED, HOWEVER, Funds to pay for condemnation allowed by this
19 section shall be raised only as specified in this chapter.

20 (2) The board of park commissioners shall have power to employ
21 counsel, and to regulate, manage and control the parks, parkways,
22 boulevards, streets, avenues, aviation landings and playgrounds under
23 its control, and to provide for park (~~police~~) police, for a
24 secretary of the board of park commissioners and for all necessary
25 employees, to fix their salaries and duties.

26 (3) The board of park commissioners shall have power to improve,
27 acquire, extend and maintain, open and lay out, parks, parkways,
28 boulevards, avenues, aviation landings and playgrounds, within or
29 without the park district, and to authorize, conduct and manage the
30 letting of boats, or other amusement apparatus, the operation of bath

1 houses, the purchase and sale of foodstuffs or other merchandise, the
2 giving of vocal or instrumental concerts or other entertainments, the
3 establishment and maintenance of aviation landings and playgrounds, and
4 generally the management and conduct of such forms of recreation or
5 business as it shall judge desirable or beneficial for the public, or
6 for the production of revenue for expenditure for park purposes; and
7 may pay out moneys for the maintenance and improvement of any such
8 parks, parkways, boulevards, avenues, aviation landings and playgrounds
9 as now exist, or may hereafter be acquired, within or without the
10 limits of said city and for the purchase of lands within or without the
11 limits of said city, whenever it deems the purchase to be for the
12 benefit of the public and for the interest of the park district, and
13 for the maintenance and improvement thereof and for all expenses
14 incidental to its duties: PROVIDED, That all parks, boulevards,
15 parkways, aviation landings and playgrounds shall be subject to the
16 police regulations of the city within whose limits they lie.

17 (4) For all employees, volunteers, or independent contractors, who
18 may, in the course of their work or volunteer activity with the park
19 district, have unsupervised access to children or vulnerable adults, or
20 be responsible for collecting or disbursing cash or processing
21 credit/debit card transactions, park districts shall establish by
22 resolution the requirements for a record check through the Washington
23 state patrol criminal identification system under RCW 43.43.830 through
24 43.43.834, 10.97.030, and 10.97.050 and through the federal bureau of
25 investigation, including a fingerprint check using a complete
26 Washington state criminal identification fingerprint card. The park
27 district shall provide a copy of the record report to the employee,
28 volunteer, or independent contractor. When necessary, as determined by
29 the park district, prospective employees, volunteers, or independent
30 contractors may be employed on a conditional basis pending completion
31 of the investigation. If the prospective employee, volunteer, or
32 independent contractor has had a record check within the previous
33 twelve months, the park district may waive the requirement upon
34 receiving a copy of the record. The park district may in its
35 discretion require that the prospective employee, volunteer, or
36 independent contractor pay the costs associated with the record check."

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1 On page 1, line 2 of the title, after "contractors;" strike the
2 remainder of the title and insert "and amending RCW 35.61.130."

EFFECT: Changes the language to assure that the district has
discretion over the scope of the requirements.

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