
SENATE BILL 5653

State of Washington

63rd Legislature

2013 Regular Session

By Senators Pearson, Rolfes, Honeyford, Fraser, Smith, Hewitt, Kohl-Welles, and Parlette; by request of Parks and Recreation Commission

Read first time 02/07/13. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to promoting a balanced financing system for state
2 parks programs and services in order to facilitate resource
3 stewardship, interpretative activities, cultural events, and works of
4 art in state parks; amending RCW 79A.05.065, 79A.05.335, 79A.05.340,
5 79A.05.345, 79A.70.005, 79A.70.010, 79A.70.020, 79A.70.030, and
6 79A.70.040; adding a new section to chapter 79A.05 RCW; and repealing
7 RCW 79A.70.050.

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

9 NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.05 RCW
10 to read as follows:

11 By August 1st of each even-numbered year, and in compliance with
12 RCW 43.01.036, the office of financial management must consult with the
13 director and deliver a report to the fiscal committees of the house of
14 representatives and the senate. The report must present a detailed
15 forecast of the fiscal opportunity cost incurred by the commission in
16 complying with the fee reductions and exemptions provided in RCW
17 79A.05.065 for the upcoming fiscal biennium.

1 **Sec. 2.** RCW 79A.05.065 and 2011 c 171 s 115 are each amended to
2 read as follows:

3 (1)(a) The commission shall grant to any person who meets the
4 eligibility requirements specified in this section a senior citizen's
5 pass which shall: (i) Entitle such a person, and members of his or her
6 camping unit, to a fifty percent reduction in the campsite rental fee
7 prescribed by the commission; and (ii) entitle such a person to free
8 admission to any state park.

9 (b) The commission shall grant a senior citizen's pass to any
10 person who applies for the senior citizen's pass and who meets the
11 following requirements:

12 (i) The person is at least sixty-two years of age;

13 (ii) The person is a domiciliary of the state of Washington and
14 meets reasonable residency requirements prescribed by the commission;
15 and

16 (iii) The person and his or her spouse have a combined income that
17 would qualify the person for a property tax exemption pursuant to RCW
18 84.36.381. The financial eligibility requirements of this subsection
19 (1)(b)(iii) apply regardless of whether the applicant for a senior
20 citizen's pass owns taxable property or has obtained or applied for
21 such property tax exemption.

22 (c) Each senior citizen's pass granted pursuant to this section is
23 valid as long as the senior citizen meets the requirements of (b)(ii)
24 of this subsection. A senior citizen meeting the eligibility
25 requirements of this section may make a voluntary donation for the
26 upkeep and maintenance of state parks.

27 (d) A holder of a senior citizen's pass shall surrender the pass
28 upon request of a commission employee when the employee has reason to
29 believe the holder fails to meet the criteria in (b) of this
30 subsection. The holder shall have the pass returned upon providing
31 proof to the satisfaction of the director that the holder meets the
32 eligibility criteria for obtaining the senior citizen's pass.

33 (2)(a) Any resident of Washington who is disabled as defined by the
34 social security administration and who receives social security
35 benefits for that disability, or any other benefits for that disability
36 from any other governmental or nongovernmental source, or who is
37 entitled to benefits for permanent disability under RCW
38 71A.10.020(~~((+3))~~) (4) due to unemployability full time at the minimum

1 wage, or who is legally blind or profoundly deaf, or who has been
2 issued a card, decal, or special license plate for a permanent
3 disability under RCW 46.19.010 shall be entitled to receive, regardless
4 of age and upon making application therefor, a disability pass at no
5 cost to the holder. The pass shall: (i) Entitle such a person, and
6 members of his or her camping unit, to a fifty percent reduction in the
7 campsite rental fee prescribed by the commission; and (ii) entitle such
8 a person to free admission to any state park.

9 (b) A card, decal, or special license plate issued for a permanent
10 disability under RCW 46.19.010 may serve as a pass for the holder to
11 entitle that person and members of the person's camping unit to a fifty
12 percent reduction in the campsite rental fee prescribed by the
13 commission, and to allow the holder free admission to state parks.

14 (3) Any resident of Washington who is a veteran and has a service-
15 connected disability of at least thirty percent shall be entitled to
16 receive a lifetime veteran's disability pass at no cost to the holder.
17 The pass shall: (a) Entitle such a person, and members of his or her
18 camping unit, to free use of any campsite within any state park; (b)
19 entitle such a person to free admission to any state park; and (c)
20 entitle such a person to an exemption from any reservation fees.

21 (4)(a) Any Washington state resident who provides out-of-home care
22 to a child, as either a licensed foster-family home or a person related
23 to the child, is entitled to a foster home pass.

24 (b) An applicant for a foster home pass must request a pass in the
25 manner required by the commission. Upon receipt of a properly
26 submitted request, the commission shall verify with the department of
27 social and health services that the applicant qualifies under (a) of
28 this subsection. Once issued, a foster home pass is valid for the
29 period, which may not be less than one year, designated by the
30 commission.

31 (c) When accompanied by a child receiving out-of-home care from the
32 pass holder, a foster home pass: (i) Entitles such a person, and
33 members of his or her camping unit, to free use of any campsite within
34 any state park; and (ii) entitles such a person to free admission to
35 any state park.

36 (d) For the purposes of this subsection (4):

37 (i) "Out-of-home care" means placement in a foster-family home or

1 with a person related to the child under the authority of chapter
2 13.32A, 13.34, or 74.13 RCW;

3 (ii) "Foster-family home" has the same meaning as defined in RCW
4 74.15.020; and

5 (iii) "Person related to the child" means those persons referred to
6 in RCW 74.15.020(2)(a) (i) through (vi).

7 (5) All passes issued pursuant to this section are valid at all
8 parks any time during the year. However, the pass is not valid for
9 admission to concessionaire operated facilities.

10 (6) (~~The commission shall negotiate payment and costs, to allow~~
11 ~~holders of a foster home pass free access and usage of park campsites,~~
12 ~~with the following nonoperated, nonstate-owned parks: Central Ferry,~~
13 ~~Chief Timothy, Crow Butte, and Lyons Ferry.)) The commission shall
14 seek state general fund reimbursement on a biennial basis for the
15 fiscal opportunity cost incurred by the commission in complying with
16 the fee reductions and exemptions provided in this section. The amount
17 of state general fund moneys requested for this purpose may not exceed
18 the total amount identified in the report to the legislature required
19 under section 1 of this act. However, nothing in this section
20 prohibits the commission from also seeking general fund contributions
21 for other state parks needs.~~

22 (7) The commission may deny or revoke any Washington state park
23 pass issued under this section for cause, including but not limited to
24 the following:

25 (a) Residency outside the state of Washington;

26 (b) Violation of laws or state park rules resulting in eviction
27 from a state park;

28 (c) Intimidating, obstructing, or assaulting a park employee or
29 park volunteer who is engaged in the performance of official duties;

30 (d) Fraudulent use of a pass;

31 (e) Providing false information or documentation in the application
32 for a state parks pass;

33 (f) Refusing to display or show the pass to park employees when
34 requested; or

35 (g) Failing to provide current eligibility information upon request
36 by the agency or when eligibility ceases or changes.

37 (8) This section shall not affect or otherwise impair the power of

1 the commission to continue or discontinue any other programs it has
2 adopted for senior citizens.

3 (9) The commission may engage in a mutually agreed upon reciprocal
4 or discounted program for all or specific pass programs with other
5 outdoor recreation agencies.

6 (10) The commission shall adopt those rules as it finds appropriate
7 for the administration of this section. Among other things, the rules
8 shall prescribe a definition of "camping unit" which will authorize a
9 reasonable number of persons traveling with the person having a pass to
10 stay at the campsite rented by such a person, a minimum Washington
11 residency requirement for applicants for a senior citizen's pass, and
12 an application form to be completed by applicants for a senior
13 citizen's pass.

14 **Sec. 3.** RCW 79A.05.335 and 1991 c 107 s 1 are each amended to read
15 as follows:

16 The legislature finds that the lands owned and managed by the
17 (~~state parks and recreation~~) commission are a significant collection
18 of valuable natural, cultural, and historical(~~, and cultural~~)
19 resources for the citizens of Washington state. The legislature
20 further finds that if citizens understand and appreciate the (~~state
21 park ecological resources, they will come to appreciate and understand
22 the ecosystems and natural resources throughout the state~~) natural,
23 cultural, and historical resources present in Washington's state parks,
24 they will be inspired to conserve this important legacy for future
25 generations. Therefore, the (~~state parks and recreation~~) commission
26 may (~~increase the~~) use (~~of~~) its facilities and resources to provide
27 (~~environmental~~) natural, cultural, or historical resource
28 interpretation throughout the state parks system.

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

31 The (~~state parks and recreation~~) commission may provide
32 (~~environmental interpretative~~) natural, cultural, or historical
33 resource interpretive activities for visitors to state parks that:

34 (1) Explain the functions, history, significance, and cultural
35 aspects of ecosystems;

1 (2) Explain the relationship between human needs, human behaviors
2 and attitudes, and the environment; (~~and~~)

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

5 (4) Offer experiences and information to increase citizen
6 understanding, appreciation, and stewardship of (~~the environment and~~
7 ~~its multiple uses~~) their natural and cultural heritage;

8 (5) Protect natural, cultural, or historical resources from the
9 impacts of human activities; or

10 (6) Increase awareness, appreciation, and enjoyment of the state's
11 ethnic and cultural heritage and contemporary works of art.

12 **Sec. 5.** RCW 79A.05.345 and 1991 c 107 s 3 are each amended to read
13 as follows:

14 The (~~state parks and recreation~~) commission may consult and enter
15 into agreements with and solicit assistance from (~~private sector~~
16 ~~organizations and other governmental agencies that are interested in~~
17 ~~conserving and interpreting Washington's environment. The commission~~
18 ~~shall not permit commercial advertising in state park lands or~~
19 ~~interpretive centers as a condition of such agreements. Logos or~~
20 ~~credit lines for sponsoring organizations may be permitted. The~~
21 ~~commission shall maintain an accounting of all monetary gifts provided,~~
22 ~~and expenditures of monetary gifts shall not be used to increase~~
23 ~~personnel~~) the state parks foundation, private sector individuals,
24 organizations, businesses, employee business units, other public
25 agencies, and tribes that are interested in stewarding and interpreting
26 state parks natural, cultural, scenic, and recreational resources.

27 **Sec. 6.** RCW 79A.70.005 and 2000 c 25 s 1 are each amended to read
28 as follows:

29 The legislature finds that:

30 (1) State parks are a valuable asset to the people of the state of
31 Washington, contributing to their health, education, and well-being;

32 (2) Well maintained state parks are an attraction and contribute
33 significantly to the economic well-being of the state of Washington;

34 (3) Well maintained state parks encourage the appreciation of the
35 natural resources and natural beauty of the state of Washington;

1 (4) There is an increasing demand for more state parks and more
2 state parks services;

3 (5) There are individuals and groups who desire to contribute to
4 the continued vitality of the state parks system;

5 (6) Providing a tax-deductible method for individuals and groups to
6 contribute is an effective way of increasing available funds to improve
7 the state parks system; and

8 (7) It is in the public interest to create a nonprofit foundation
9 to provide such a method for individuals and groups to contribute to
10 the preservation, restoration, ~~((and))~~ enhancement, and operation of
11 the state parks system.

12 **Sec. 7.** RCW 79A.70.010 and 2000 c 25 s 2 are each amended to read
13 as follows:

14 The purpose of the Washington state parks ~~((gift))~~ foundation is to
15 solicit support ~~((for the state parks system, cooperate with other
16 organizations, and to encourage gifts to support and improve the state
17 parks)), build constituencies, engage in public outreach, cooperate
18 with other organizations, and encourage gifts and private sponsorship
19 activities to support operation, acquisition, and improvement of state
20 parks. The foundation shall take the lead role in soliciting,
21 recognizing, and cultivating enduring relationships with private donors
22 and sponsors.~~

23 **Sec. 8.** RCW 79A.70.020 and 2000 c 25 s 3 are each amended to read
24 as follows:

25 The definitions in this section apply throughout this chapter,
26 unless the context clearly requires otherwise.

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

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

31 (3) "Eligible grant recipients" includes any and all of the
32 activities of the commission in carrying out the provisions of this
33 title and friends groups or other cooperating associations established
34 solely for the benefit of state parks.

35 (4) "Eligible projects" means any project, action, program, or part

1 of any project ~~((or))~~, action, or program that serves to preserve,
2 restore, improve, ~~((or))~~ enhance ~~((the))~~, or otherwise contribute to
3 the operation of state parks.

4 **Sec. 9.** RCW 79A.70.030 and 2000 c 25 s 4 are each amended to read
5 as follows:

6 (1) By September 1, 2000, the commission shall file articles of
7 incorporation in accordance with the Washington nonprofit corporation
8 act, chapter 24.03 RCW, to establish the Washington state parks
9 ~~((gift))~~ foundation. The foundation shall not be an agency,
10 instrumentality, or political subdivision of the state and shall not
11 disburse public funds.

12 (2) The foundation shall have a board of directors consisting of up
13 to fifteen members ~~((Initial members of the board shall be appointed~~
14 ~~by the governor and collectively have experience in business,~~
15 ~~charitable giving, outdoor recreation, and parks administration.~~
16 ~~Initial appointments shall be made by September 30, 2000. Subsequent~~
17 ~~board members shall be elected by the general membership of the~~
18 ~~foundation.~~

19 ~~(3) Members of the board shall serve three year terms, except for~~
20 ~~the initial terms, which shall be staggered by the governor to achieve~~
21 ~~a balanced mix of terms on the board. Members of the board may serve~~
22 ~~up to a maximum of three terms. At the end of a term, a member may~~
23 ~~continue to serve until a successor has been elected))~~, whose terms,
24 method of appointment, and authority must be in accordance with the
25 Washington nonprofit corporation act, chapter 24.03 RCW.

26 **Sec. 10.** RCW 79A.70.040 and 2000 c 25 s 5 are each amended to read
27 as follows:

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

31 ~~(2))~~ The foundation shall actively solicit contributions from
32 individuals and groups for the benefit of the state parks. The
33 foundation shall coordinate with the commission and take the lead role
34 in appropriately thanking, recognizing, and inviting donors to further
35 support operation, acquisition, and improvement of state parks and
36 other purposes of this chapter.

1 ~~((+3))~~ (2) The foundation shall develop criteria jointly with the
2 agency director for guiding ~~((themselves))~~ the foundation in either the
3 creation of an endowment, or the making of grants to eligible grant
4 recipients and eligible projects in the state parks, or both.

5 ~~((+4))~~ (3) A competitive grant process shall be conducted at least
6 annually by the foundation to award funds ~~((to the))~~ for the benefit of
7 state parks. Competitive grant applications shall only be submitted to
8 the foundation by the commission, friends groups, or other cooperating
9 associations established for the benefit of state parks. ~~((The process~~
10 ~~shall be started as soon as practicable.))~~ Grants shall be awarded to
11 eligible projects consistent with the criteria developed jointly by the
12 foundation and ~~((shall be available only for state parks use on~~
13 ~~eligible projects))~~ the agency director.

14 NEW SECTION. **Sec. 11.** RCW 79A.70.050 (Foundation moneys not to
15 supplant preexisting funding) and 2000 c 25 s 6 are each repealed.

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