

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5332**

Chapter 267, Laws of 1993

53rd Legislature  
1993 Regular Session

UNDERWATER PARKS SYSTEM

EFFECTIVE DATE: 7/25/93

Passed by the Senate April 19, 1993  
YEAS 47 NAYS 0

JOEL PRITCHARD

\_\_\_\_\_  
**President of the Senate**

Passed by the House April 9, 1993  
YEAS 94 NAYS 4

BRIAN EBERSOLE

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**Speaker of the  
House of Representatives**

Approved May 7, 1993

MIKE LOWRY

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**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5332** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

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**Secretary**

FILED

May 7, 1993 - 11:52 a.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5332**

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AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

**State of Washington                      53rd Legislature                      1993 Regular Session**

**By** Senate Committee on Ecology & Parks (originally sponsored by Senators West, Oke, Nelson, Owen, Pelz, Sutherland, Hargrove, Winsley, von Reichbauer, Erwin and Sheldon)

Read first time 02/22/93.

1            AN ACT Relating to underwater parks; and adding new sections to  
2 chapter 43.51 RCW.

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

1            NEW SECTION.    **Sec. 1.**    The state parks and recreation commission  
2 shall act as the lead agency for the establishment of underwater parks  
3 in state waters and for environmental reviews of projects necessary to  
4 establish underwater parks.    The commission may enter into interagency  
5 agreements to facilitate timely receipt of necessary permits from other  
6 state agencies and local governments.

7  
8            NEW SECTION.    **Sec. 2.**    The state parks and recreation commission  
9 may establish a system of underwater parks to provide for diverse  
10 recreational diving opportunities and to conserve and protect unique  
11 marine resources of the state of Washington.    In establishing and  
12 maintaining an underwater park system, the commission may:

- 13            (1) Plan, construct, and maintain underwater parks;
- 14            (2) Acquire property and enter management agreements with other  
15 units of state government for the management of lands, tidelands, and  
16 bedlands as underwater parks;

1 (3) Construct artificial reefs and other underwater features to  
2 enhance marine life and recreational uses of an underwater park;

3 (4) Accept gifts and donations for the benefit of underwater parks;

4 (5) Facilitate private efforts to construct artificial reefs and  
5 underwater parks;

6 (6) Work with the federal government, local governments and other  
7 appropriate agencies of state government, including but not limited to:  
8 The department of natural resources, the department of fisheries, the  
9 department of wildlife and the natural heritage council to carry out  
10 the purposes of sections 1 through 4 of this act; and

11 (7) Contract with other state agencies or local governments for the  
12 management of an underwater park unit.

13  
14 NEW SECTION. **Sec. 3.** The commission may charge a fee for  
15 recreational uses of an underwater park to offset a part or all of the  
16 costs of creating and administering the underwater park system. The  
17 fees and any monetary gifts shall be deposited to the underwater park  
18 account, which is created in the state treasury. Funds in the  
19 underwater park account shall be expended for the operation and  
20 creation of state underwater parks, and shall be subject to  
21 appropriation. Before implementing a fee program for underwater park  
22 uses, the commission shall submit to the appropriate committees of the  
23 legislature an estimate of what the fees would be and a plan for  
24 collecting these fees.

25  
26 NEW SECTION. **Sec. 4.** In establishing an underwater park system,  
27 the commission shall seek to create diverse recreational opportunities  
28 in areas throughout Washington state. The commission shall place a  
29 high priority upon creating units that possess unique or diverse marine  
30 life or underwater natural or artificial features such as shipwrecks.

31  
32 NEW SECTION. **Sec. 5.** The commission is not liable for  
33 unintentional injuries to users of underwater parks, whether the  
34 facilities are administered by the commission or by another entity or  
35 person. However, nothing in this section prevents the liability of the  
36 commission for injuries sustained by a user by reason of a known  
37 dangerous artificial latent condition for which warning signs have not  
38 been conspicuously posted.

1        NEW SECTION.    **Sec. 6.**    Sections 1 through 5 of this act are each  
2 added to chapter 43.51 RCW.

      Passed the Senate April 19, 1993.

      Passed the House April 9, 1993.

      Approved by the Governor May 7, 1993.

      Filed in Office of Secretary of State May 7, 1993.