
SENATE BILL 5484

State of Washington

56th Legislature

1999 Regular Session

By Senators McAuliffe, Rossi and Hargrove; by request of Parks and Recreation Commission

Read first time 01/25/1999. Referred to Committee on Natural Resources, Parks & Recreation.

1 AN ACT Relating to concessions or leases in state parks and
2 parkways; and amending RCW 43.51.040.

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

4 **Sec. 1.** RCW 43.51.040 and 1989 c 175 s 106 are each amended to
5 read as follows:

6 The commission shall:

7 (1) Have the care, charge, control, and supervision of all parks
8 and parkways acquired or set aside by the state for park or parkway
9 purposes.

10 (2) Adopt, promulgate, issue, and enforce rules pertaining to the
11 use, care, and administration of state parks and parkways. The
12 commission shall cause a copy of the rules to be kept posted in a
13 conspicuous place in every state park to which they are applicable, but
14 failure to post or keep any rule posted shall be no defense to any
15 prosecution for the violation thereof.

16 (3) Permit the use of state parks and parkways by the public under
17 such rules as shall be adopted.

18 (4) Clear, drain, grade, seed, and otherwise improve or beautify
19 parks and parkways, and erect structures, buildings, fireplaces, and

1 comfort stations and build and maintain paths, trails, and roadways
2 through or on parks and parkways.

3 (5) Grant concessions or leases in state parks and parkways, upon
4 such rentals, fees, or percentage of income or profits and for such
5 terms, in no event longer than (~~forty~~) fifty years, and upon such
6 conditions as shall be approved by the commission: PROVIDED, That
7 leases exceeding a twenty-year term shall require a unanimous vote of
8 the commission: PROVIDED FURTHER, That if, during the term of any
9 concession or lease, it is the opinion of the commission that it would
10 be in the best interest of the state, the commission may, with the
11 consent of the concessionaire or lessee, alter and amend the terms and
12 conditions of such concession or lease: PROVIDED FURTHER, That
13 television station leases shall be subject to the provisions of RCW
14 43.51.063, only: PROVIDED FURTHER, That the rates of such concessions
15 or leases shall be renegotiated at five-year intervals. No concession
16 shall be granted which will prevent the public from having free access
17 to the scenic attractions of any park or parkway.

18 (6) Employ such assistance as it deems necessary.

19 (7) By majority vote of its authorized membership select and
20 purchase or obtain options upon, lease, or otherwise acquire for and in
21 the name of the state such tracts of land, including shore and tide
22 lands, for park and parkway purposes as it deems proper. If the
23 commission cannot acquire any tract at a price it deems reasonable, it
24 may, by majority vote of its authorized membership, obtain title
25 thereto, or any part thereof, by condemnation proceedings conducted by
26 the attorney general as provided for the condemnation of rights of way
27 for state highways. Option agreements executed under authority of this
28 subdivision shall be valid only if:

29 (a) The cost of the option agreement does not exceed one dollar;
30 and

31 (b) Moneys used for the purchase of the option agreement are from
32 (i) funds appropriated therefor, or (ii) funds appropriated for
33 undesignated land acquisitions, or (iii) funds deemed by the commission
34 to be in excess of the amount necessary for the purposes for which they
35 were appropriated; and

36 (c) The maximum amount payable for the property upon exercise of
37 the option does not exceed the appraised value of the property.

38 (8) Cooperate with the United States, or any county or city of this
39 state, in any matter pertaining to the acquisition, development,

1 redevelopment, renovation, care, control, or supervision of any park or
2 parkway, and enter into contracts in writing to that end. All parks or
3 parkways, to which the state contributed or in whose care, control, or
4 supervision the state participated pursuant to the provisions of this
5 section, shall be governed by the provisions hereof.

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