
HOUSE BILL 2373

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Van De Wege and Tharinger

Read first time 01/12/12. Referred to Committee on General Government Appropriations & Oversight.

1 AN ACT Relating to the state's management of its recreational
2 resources; amending RCW 77.32.010, 77.15.750, 79A.05.215, 79A.05.070,
3 77.32.070, 77.32.050, 46.01.140, 46.16A.090, 79A.05.010, 79A.05.020,
4 79A.05.035, 79A.05.040, 79A.05.045, 79A.05.050, 79A.05.055, 79A.05.060,
5 79A.05.065, 79A.05.080, 79A.05.085, 79A.05.090, 79A.05.095, 79A.05.100,
6 79A.05.105, 79A.05.110, 79A.05.115, 79A.05.120, 79A.05.125, 79A.05.130,
7 79A.05.140, 79A.05.145, 79A.05.150, 79A.05.155, 79A.05.160, 79A.05.165,
8 79A.05.170, 79A.05.175, 79A.05.178, 79A.05.180, 79A.05.185, 79A.05.190,
9 79A.05.195, 79A.05.200, 79A.05.205, 79A.05.210, 79A.05.220, 79A.05.230,
10 79A.05.240, 79A.05.250, 79A.05.280, 79A.05.285, 79A.05.290, 79A.05.300,
11 79A.05.310, 79A.05.315, 79A.05.320, 79A.05.325, 79A.05.330, 79A.05.335,
12 79A.05.340, 79A.05.345, 79A.05.351, 79A.05.355, 79A.05.360, 79A.05.370,
13 79A.05.375, 79A.05.380, 79A.05.390, 79A.05.395, 79A.05.410, 79A.05.415,
14 79A.05.545, 79A.05.610, 79A.05.615, 79A.05.620, 79A.05.630, 79A.05.650,
15 79A.05.665, 79A.05.670, 79A.05.685, 79A.05.688, 79A.05.690, 79A.05.695,
16 79A.05.705, 79A.05.710, 79A.05.715, 79A.05.735, and 79A.05.780;
17 reenacting and amending RCW 43.30.385, 77.12.170, 79A.05.030,
18 79A.05.225, 79A.05.255, and 79A.05.385; adding new sections to chapter
19 79A.80 RCW; adding a new section to chapter 77.32 RCW; adding new
20 sections to chapter 79A.05 RCW; adding a new section to chapter 46.01
21 RCW; creating a new section; repealing RCW 79A.80.010, 79A.80.020,

1 79A.80.030, 79A.80.040, 79A.80.050, 79A.80.060, 79A.80.070, 79A.80.080,
2 79A.80.090, 79A.05.015, 79A.05.025, and 79A.05.075; prescribing
3 penalties; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires otherwise.

7 (1) "Agency" or "agencies" means the department of fish and
8 wildlife, the department of natural resources, and the state parks and
9 recreation department.

10 (2) "Day use permit" means the recreational lands access permit
11 created in section 3 of this act.

12 (3) "Discover pass" means the pass created in section 2 of this
13 act.

14 (4) "Recreational lands" means any designated or developed
15 recreation area or site managed by an agency for outdoor recreation or
16 fish and wildlife conservation including designated water access areas,
17 boat ramps and launches, wildlife areas, parking areas, roads,
18 trailheads, water trails, and other trails under ownership, management,
19 lease, or control of the agency.

20 (5) "Vehicle" has the same meaning as "motor vehicle" defined in
21 RCW 46.04.320 and which are required to be registered under chapter
22 46.16A RCW. The term "vehicle" does not include:

23 (a) An otherwise included motor vehicle if the vehicle is being
24 towed under the power of a motor vehicle satisfying the definition
25 provided in RCW 46.04.320;

26 (b) Those motor vehicles exempt from registration under RCW
27 46.16A.080; and

28 (c) State and publicly owned vehicles as provided in RCW
29 46.16A.170.

30 NEW SECTION. **Sec. 2.** (1) The discover pass is created as an
31 annual pass that is required, except as provided in sections 5 and 8 of
32 this act, to park or drive a vehicle on any recreational lands.

33 (2)(a) Except as provided in sections 10 and 11 of this act, the
34 cost of a discover pass is thirty dollars.

1 (b) Every four years the office of financial management must review
2 the cost of a discover pass and, if necessary, recommend to the
3 legislature an adjustment to the cost of a discover pass to account for
4 inflation.

5 (3)(a) Except for a gifted discover pass, a discover pass is valid
6 for one year from the date of issuance and must be designed so the
7 expiration month can be designated at the time of purchase.

8 (b) A gift option must be made available to the purchaser of a
9 discover pass. A gifted discover pass only differs from a standard
10 discover pass in that the purchaser may designate the month in which
11 the pass becomes effective.

12 (4) A discover pass must be made available for purchase as provided
13 in section 9 of this act.

14 (5) The discover pass must contain space for two motor vehicle
15 license plate numbers and is only valid if a license plate number
16 matching the vehicle in which the discover pass is displayed is written
17 into one of those spaces.

18 (6) A complimentary discover pass must be provided to a volunteer
19 who performed twenty-four hours of service on agency-sanctioned
20 volunteer projects in one year. The agency must provide vouchers to
21 volunteers identifying the number of volunteer hours they have provided
22 for each project. The vouchers may be taken to an agency to be
23 redeemed for a discover pass.

24 (7) Except as otherwise specifically provided in statute, other
25 than providing the option for a day use permit under section 3 of this
26 act, the agencies may not require any additional payment for day use
27 noncommercial recreational access to recreational lands by individuals
28 or single vehicles. This subsection does not apply to special winter
29 recreational areas managed by the state parks and recreation department
30 under chapter 79A.05 RCW, commercial activities or leases, consumptive
31 uses, events, rights of entry, or other activities or uses of
32 recreational lands not otherwise allowed to be accessed or used by the
33 holders of a discover pass.

34 NEW SECTION. **Sec. 3.** (1) A person may purchase a day use permit
35 that enables the holder to park or drive a vehicle on any recreational
36 lands without violating the requirements of section 4 of this act.

37 (2)(a) The day use permit is ten dollars.

1 (b) Every four years the office of financial management must review
2 the cost of a day use permit and, if necessary, recommend to the
3 legislature an adjustment to the cost of a day use permit to account
4 for inflation.

5 (3) Day use permits must be available for purchase as provided in
6 section 9 of this act.

7 NEW SECTION. **Sec. 4.** (1) Except as provided in this section or
8 section 5 of this act, a valid discover pass or a day use permit must
9 be visibly displayed in the front windshield of any vehicle, or in
10 plain sight on a vehicle without a windshield when:

11 (a) Driving on recreational lands; or

12 (b) Parked on recreational lands.

13 (2) A discover pass or day use permit is not required on private
14 lands, state-owned aquatic lands other than water access areas, or at
15 agency offices, hatcheries, or other facilities where public business
16 is conducted.

17 (3) A discover pass or day use permit is not required for persons
18 who use, possess, or enter lands owned or managed by the agencies for
19 purposes consistent with a written authorization from the agency,
20 including but not limited to leases, contracts, and easements. An
21 agency may waive the requirements of this section for any person who
22 has secured the ability to access specific recreational land through
23 the provision of monetary consideration to the agency.

24 (4) Failure to comply with subsection (1) of this section is a
25 natural resource infraction under chapter 7.84 RCW. An agency is
26 authorized to issue a notice of infraction to any person who fails to
27 comply with subsection (1)(a) of this section or to any vehicle that
28 fails to comply with subsection (1)(b) of this section.

29 (5) The penalty for failure to comply with the requirements of this
30 section is ninety-nine dollars. This penalty is reduced to fifty-nine
31 dollars if an individual provides proof of purchase of a discover pass
32 to the court within fifteen days after the issuance of the notice of
33 violation.

34 NEW SECTION. **Sec. 5.** (1) A discover pass or a day use permit are
35 not required for persons who display proof of payment of a camping fee

1 collected by the state parks and recreation department under chapter
2 79A.05 RCW for the day preceding and the day following the night or
3 nights of camping designated on the proof of payment.

4 (2) A discover pass or day use permit is not required to park in
5 designated winter recreational area parking spaces identified in RCW
6 79A.05.225 between November 1st through March 31st and are not valid
7 substitutes for special winter recreational parking permits issued
8 under RCW 79A.05.230.

9 (3) The state parks and recreation department must provide twelve
10 days a year where a vehicle may enter upon or park at a state park
11 without having to purchase or display a discover pass or day use
12 permit. At least three of those days must be on weekends.

13 NEW SECTION. **Sec. 6.** (1) The recreation access pass account is
14 created in the state treasury. All moneys received from the sale of
15 discover passes created in section 2 of this act and day use permits
16 created in section 3 of this act must be deposited into the account.

17 (2) Except as otherwise provided in this section, each fiscal
18 biennium, the first seventy-one million dollars in revenue must be
19 distributed to the agencies in the following manner:

20 (a) Eight percent to the department of fish and wildlife and
21 deposited into the state wildlife account created in RCW 77.12.170;

22 (b) Eight percent to the department of natural resources and
23 deposited into the park land trust revolving fund created in RCW
24 43.30.385; and

25 (c) Eighty-four percent to the state parks and recreation
26 department and deposited into the state parks renewal and stewardship
27 account created in RCW 79A.05.215.

28 (3) Each fiscal biennium, revenues in excess of seventy-one million
29 dollars must be distributed equally among the agencies to the accounts
30 identified in subsection (2) of this section.

31 (4) Revenues distributed from the recreation access pass account
32 may only be used by the agencies for the following purposes:

33 (a) Operating, maintaining, providing stewardship of, and
34 administering recreational lands and public access to public lands,
35 including criminal and civil law enforcement; and

36 (b) Securing public access to land owned by an agency that does not

1 have direct public access, or to fishing and hunting areas located on,
2 or requiring access through, private lands.

3 (5) Prior to distributing revenue to the agencies under this
4 section, the state parks and recreation department must be reimbursed
5 for the costs of producing, marketing, and distributing discover passes
6 and day use permits under section 7 of this act.

7 NEW SECTION. **Sec. 7.** (1) Administration of this chapter,
8 including the production, marketing, and distribution of discover
9 passes and day use permits to private vendors and other sales
10 locations, is the primary responsibility of the state parks and
11 recreation department. However, the state parks and recreation
12 department must consult with the other affected agencies when a
13 decision substantially affects that agency.

14 (2) Nothing in this section affects the administration of the
15 department of fish and wildlife's automated licensing system authorized
16 in RCW 77.32.050 or provides the state parks and recreation department
17 with any authority over that system.

18 NEW SECTION. **Sec. 8.** Each agency must, where applicable,
19 designate a short-term parking area on recreational lands that allows
20 a vehicle to park on the recreational lands for up to fifteen minutes
21 without having to display a discover pass or day use permit.

22 NEW SECTION. **Sec. 9.** (1) Discover passes and day use permits may
23 be made available for purchase:

24 (a) Through private sector vendors under contract with the state
25 parks and recreation department;

26 (b) Directly from the state parks and recreation department, both
27 through that agency's parks reservation system, directly from agency
28 employees or volunteers at staffed state parks, or as otherwise
29 provided in RCW 79A.05.070;

30 (c) From the department of licensing as provided in RCW 46.16A.090
31 and section 21 of this act;

32 (d) From other outlets authorized by law to sell state licenses,
33 permits, or passes; and

34 (e) Consistent with RCW 77.32.050, through the department of fish
35 and wildlife's automated licensing system.

1 (2) The department of fish and wildlife's automated licensing
2 system is only one option for the sale of discover passes and day use
3 permits. Only discover passes and day use permits purchased in the
4 same transaction with licenses or permits issued under Title 77 RCW are
5 required to be sold through the automated licensing system and assessed
6 a transaction fee paid by the purchaser.

7 (3)(a) Except as provided in (b) of this subsection, once
8 purchased, a discover pass may not be returned and the purchase price
9 may not be refunded. Replacements for lost or stolen discover passes
10 may only be provided at full cost as provided in sections 2 and 3 of
11 this act.

12 (b) The state parks and recreation department must maintain a
13 policy for providing the full year of recreational lands access that
14 the discover pass provides to individuals who are required by the
15 department of licensing to change license plate numbers during the
16 effective dates of a discover pass tied to the affected vehicle.

17 (4) Private sector vendors under contract with the state parks and
18 recreation department may be provided with discover passes and day use
19 permits to sell at retail for a per item price less than the sales
20 price established in sections 2 and 3 of this act. However, any
21 participating private sector vendor may not collect less than the
22 amount established in sections 2 and 3 of this act for the sale of a
23 discover pass or day use permit.

24 NEW SECTION. **Sec. 10.** A new section is added to chapter 77.32 RCW
25 to read as follows:

26 (1) The department must make a discover pass available for purchase
27 to any person who, in the same transaction, also purchases one of the
28 following:

- 29 (a) A big game hunting license issued under RCW 77.32.450;
- 30 (b) A small game hunting license issued under RCW 77.32.460;
- 31 (c) A western Washington pheasant permit issued under RCW
32 77.32.575;
- 33 (d) A trapping license issued under RCW 77.65.450;
- 34 (e) A watchable wildlife decal issued under RCW 77.32.560; or
- 35 (f) A combination, saltwater, or freshwater personal use fishing
36 license issued under RCW 77.32.470.

1 (2) The cost of a discover pass, when purchased during the same
2 transaction as an item identified in subsection (1) of this section, is
3 fifty percent of the cost of a discover pass as established in section
4 2 of this act.

5 (3) Only one discounted discover pass may be issued per
6 transaction. Additional discover passes, as well as discover passes
7 and day use permits sold to an individual purchasing an item other than
8 those identified in subsection (1) of this section, may be purchased
9 for the amount established in section 2 of this act.

10 (4) The fees collected for all discover passes and day use permits
11 purchased under this section must be deposited in the recreation access
12 pass account created in section 6 of this act.

13 (5) For the purposes of this section and unless the context clearly
14 requires otherwise, the terms "discover pass" and "day use permit" have
15 the same meaning as provided in section 1 of this act.

16 NEW SECTION. **Sec. 11.** A new section is added to chapter 79A.05
17 RCW to read as follows:

18 (1) The department must make a discover pass available for purchase
19 to any person who, in the same transaction, also purchases a campsite
20 rental.

21 (2) The cost of a discover pass, when purchased during the same
22 transaction as an item identified in subsection (1) of this section, is
23 fifty percent of the cost of a discover pass as established in section
24 2 of this act.

25 (3) Only one discounted discover pass may be issued per
26 transaction. Additional discover passes, as well as discover passes
27 and day use permits sold to an individual purchasing an item other than
28 those identified in subsection (1) of this section, may be purchased
29 for the amount established in section 2 of this act.

30 (4) The fees collected for all discover passes and day use permits
31 purchased under this section must be deposited in the recreation access
32 pass account created in section 6 of this act.

33 (5) For the purposes of this section and unless the context clearly
34 requires otherwise, the terms "discover pass" and "day use permit" have
35 the same meaning as defined in section 1 of this act.

1 **Sec. 12.** RCW 77.32.010 and 2011 c 320 s 19 are each amended to
2 read as follows:

3 (1) Except as otherwise provided in this chapter, a recreational
4 license issued by the director is required to hunt for or take wild
5 animals or wild birds, fish for, take, or harvest fish, shellfish, and
6 seaweed. A recreational fishing or shellfish license is not required
7 for carp, smelt, and crawfish, and a hunting license is not required
8 for bullfrogs.

9 (2) A (~~pass or permit issued under RCW 79A.80.020, 79A.80.030, or~~
10 ~~79A.80.040 is required to park or operate a motor vehicle on a~~
11 ~~recreation site or lands, as defined in RCW 79A.80.010~~) discover pass
12 or day use permit issued under section 2 or 3 of this act is required
13 to access, park a vehicle on, or drive a vehicle on recreational lands
14 managed by the department, as the term "recreational lands" is defined
15 in section 1 of this act.

16 (3) During the 2009-2011 fiscal biennium to enable the
17 implementation of the pilot project established in section 307, chapter
18 329, Laws of 2008, a fishing permit issued to a nontribal member by the
19 Colville Tribes shall satisfy the license requirements in subsection
20 (1) of this section on the waters of Lake Rufus Woods and on the north
21 shore of Lake Rufus Woods, and a Colville Tribes tribal member
22 identification card shall satisfy the license requirements in
23 subsection (1) of this section on all waters of Lake Rufus Woods.

24 **Sec. 13.** RCW 77.15.750 and 2011 c 320 s 20 are each amended to
25 read as follows:

26 (1) A person is guilty of unlawful use of a department permit if
27 the person:

28 (a) Violates any terms or conditions of the permit issued by the
29 department or the director; or

30 (b) Violates any rule of the (~~commission~~) department or the
31 director applicable to the requirement for, issuance of, or use of the
32 permit.

33 (2)(a) Permits covered under subsection (1) of this section
34 include, but are not limited to, master hunter permits, crab pot
35 removal permits and shellfish pot removal permits under RCW 77.70.500,
36 depredation permits, landowner hunting permits, commercial carp license

1 permits, permits to possess or dispense beer or malt liquor pursuant to
2 RCW 66.28.210, and permits to hold, sponsor, or attend an event
3 requiring a banquet permit from the liquor control board.

4 (b) Permits excluded from subsection (1) of this section include
5 the discover pass created in (~~RCW 79A.80.020, the vehicle access pass~~
6 ~~created in RCW 79A.80.040, the day use permit created in RCW~~
7 ~~79A.80.030~~) section 2 of this act, the day use permit created in
8 section 3 of this act, commercial use or activity permits,
9 noncommercial use or activity permits, parking permits, experimental
10 fishery permits, trial commercial fishery permits, and scientific
11 collection permits.

12 (3) Unlawful use of a department permit is a misdemeanor.

13 (4) A person is guilty of unlawful use of an experimental fishery
14 permit or a trial commercial fishery permit if the person:

15 (a) Violates any terms or conditions of the permit issued by the
16 department or the director; or

17 (b) Violates any rule of the (~~commission~~) department or the
18 director applicable to the issuance or use of the permit.

19 (5) Unlawful use of an experimental fishery permit or a trial
20 commercial fishery permit is a gross misdemeanor.

21 (6) The definitions in this subsection apply throughout this
22 section unless the context clearly requires otherwise.

23 (a) "Experimental fishery permit" means a permit issued by the
24 director for either:

25 (i) An "emerging commercial fishery," defined as a fishery for a
26 newly classified species for which the department has determined that
27 there is a need to limit participation; or

28 (ii) An "expanding commercial fishery," defined as a fishery for a
29 previously classified species in a new area, by a new method, or at a
30 new effort level, for which the department has determined that there is
31 a need to limit participation.

32 (b) "Trial commercial fishery permit" means a permit issued by the
33 department for trial harvest of a newly classified species or harvest
34 of a previously classified species in a new area or by a new means.

35 **Sec. 14.** RCW 43.30.385 and 2011 c 320 s 21 and 2011 c 16 s 14 are
36 each reenacted and amended to read as follows:

37 (1) The park land trust revolving fund is to be utilized by the

1 department for the purpose of acquiring real property, including all
2 reasonable costs associated with these acquisitions, as a replacement
3 for the property transferred to the state parks and recreation
4 (~~commission~~) department, as directed by the legislature in order to
5 maintain the land base of the affected trusts or under RCW 79.22.060
6 and to receive voluntary contributions for the purpose of operating and
7 maintaining public use and recreation facilities, including trails,
8 managed by the department.

9 (2) In addition to the other purposes identified in this section,
10 the park land trust revolving fund may be utilized by the department to
11 hold funding for future acquisition of lands for the community forest
12 trust program from willing sellers under RCW 79.155.040.

13 (3)(a) Proceeds from transfers of real property to the state parks
14 and recreation (~~commission~~) department or other proceeds identified
15 from transfers of real property as directed by the legislature shall be
16 deposited in the park land trust revolving fund.

17 (b) The proceeds from real property transferred or disposed under
18 RCW 79.22.060 must be used solely to purchase replacement forest land,
19 that must be actively managed as a working forest, within the same
20 county as the property transferred or disposed.

21 (c) Disbursement from the park land trust revolving fund to acquire
22 replacement property and for operating and maintaining public use and
23 recreation facilities shall be on the authorization of the department.

24 (d) The proceeds from the recreation access pass account created in
25 (~~RCW 79A.80.090 must be solely used for the purpose of operating and~~
26 ~~maintaining public use and recreation facilities, including trails,~~
27 ~~managed by the department~~) section 6 of this act may only be used for
28 the purposes provided in section 6 of this act.

29 (4) In order to maintain an effective expenditure and revenue
30 control, the park land trust revolving fund is subject in all respects
31 to chapter 43.88 RCW, but no appropriation is required to permit
32 expenditures and payment of obligations from the fund.

33 (5) The department is authorized to solicit and receive voluntary
34 contributions for the purpose of operating and maintaining public use
35 and recreation facilities, including trails, managed by the department.
36 The department may seek voluntary contributions from individuals and
37 organizations for this purpose. Voluntary contributions will be
38 deposited into the park land trust revolving fund and used solely for

1 the purpose of public use and recreation facilities operations and
2 maintenance. Voluntary contributions are not considered a fee for use
3 of these facilities.

4 **Sec. 15.** RCW 79A.05.215 and 2011 c 320 s 22 are each amended to
5 read as follows:

6 (1) The state parks renewal and stewardship account is created in
7 the state treasury. Except as otherwise provided in this chapter, all
8 receipts from user fees, concessions, leases, donations collected under
9 RCW 46.16A.090(3), and other state park-based activities shall be
10 deposited into the account. ((The proceeds from the recreation access
11 pass account created in RCW 79A.80.090 must be used for the purpose of
12 operating and maintaining state parks.))

13 (2)(a) Except for the proceeds from the recreation access pass
14 account created in section 6 of this act, expenditures from the account
15 may be used for operating state parks, developing and renovating park
16 facilities, undertaking deferred maintenance, enhancing park
17 stewardship, and other state park purposes.

18 (b) The proceeds from the recreation access pass account created in
19 section 6 of this act must be used for the purposes identified in
20 section 6 of this act.

21 (c) Expenditures from the account may be made only after
22 appropriation by the legislature.

23 **Sec. 16.** RCW 77.12.170 and 2011 c 339 s 3, 2011 c 320 s 23, and
24 2011 c 171 s 112 are each reenacted and amended to read as follows:

25 (1) There is established in the state treasury the state wildlife
26 account which consists of moneys received from:

27 (a) Rentals or concessions of the department;

28 (b) The sale of real or personal property held for department
29 purposes, unless the property is seized or recovered through a fish,
30 shellfish, or wildlife enforcement action;

31 (c) The assessment of administrative penalties;

32 (d) The sale of licenses, permits, tags, and stamps required by
33 chapter 77.32 RCW, RCW 77.65.490, and application fees;

34 (e) Fees for informational materials published by the department;

35 (f) Fees for personalized vehicle, Wild on Washington, and

1 Endangered Wildlife license plates and Washington's Wildlife license
2 plate collection as provided in chapter 46.17 RCW;

3 (g) Articles or wildlife sold by the director under this title;

4 (h) Compensation for damage to department property or wildlife
5 losses or contributions, gifts, or grants received under RCW 77.12.320.
6 However, this excludes fish and shellfish overages, and court-ordered
7 restitution or donations associated with any fish, shellfish, or
8 wildlife enforcement action, as such moneys must be deposited pursuant
9 to RCW 77.15.425;

10 (i) Excise tax on anadromous game fish collected under chapter
11 82.27 RCW;

12 (j) The department's share of revenues from auctions and raffles
13 authorized by the ((~~commission~~)) department;

14 (k) The sale of watchable wildlife decals under RCW 77.32.560; and

15 (l) ~~((Moneys received from the recreation access pass account
16 created in RCW 79A.80.090 must be dedicated to stewardship, operations,
17 and maintenance of department lands used for public recreation
18 purposes; and~~

19 ~~(m))~~ Donations received by the director under RCW 77.12.039.

20 (2) Moneys received from the recreation access pass account created
21 in section 6 of this act may only be used for the purposes identified
22 in section 6 of this act.

23 (3) State and county officers receiving any moneys listed in
24 subsection (1) of this section shall deposit them in the state treasury
25 to be credited to the state wildlife account.

26 **Sec. 17.** RCW 79A.05.070 and 2011 c 320 s 24 are each amended to
27 read as follows:

28 The ((~~commission~~)) department may:

29 (1) Make rules and regulations for the proper administration of its
30 duties;

31 (2) Accept any grants of funds made with or without a matching
32 requirement by the United States, or any agency thereof, for purposes
33 in keeping with the purposes of this chapter; accept gifts, bequests,
34 devises and endowments for purposes in keeping with such purposes;
35 enter into cooperative agreements with and provide for private
36 nonprofit groups to use state park property and facilities to raise
37 money to contribute gifts, grants, and support to the ((~~commission~~))

1 department for the purposes of this chapter. The ((~~commission~~))
2 department may assist the nonprofit group in a cooperative effort by
3 providing necessary agency personnel and services, if available.
4 However, none of the moneys raised may inure to the benefit of the
5 nonprofit group, except in furtherance of its purposes to benefit the
6 ((~~commission~~)) department as provided in this chapter. The agency and
7 the private nonprofit group shall agree on the nature of any project to
8 be supported by such gift or grant prior to the use of any agency
9 property or facilities for raising money. Any such gifts may be in the
10 form of recreational facilities developed or built in part or in whole
11 for public use on agency property, provided that the facility is
12 consistent with the purposes of the agency;

13 (3) Require certification by the ((~~commission~~)) department of all
14 parks and recreation workers employed in state aided or state
15 controlled programs;

16 (4) Act jointly, when advisable, with the United States, any other
17 state agencies, institutions, departments, boards, or commissions in
18 order to carry out the objectives and responsibilities of this chapter;

19 (5) Grant franchises and easements for any legitimate purpose on
20 parks or parkways, for such terms and subject to such conditions and
21 considerations as the ((~~commission~~)) department shall specify;

22 (6) Charge ((~~such~~)) fees for services, utilities, and use of
23 facilities, except for facilities allowed to be accessed and used by
24 the holder of a discover pass or day use permit under chapter 79A.80
25 RCW, as the ((~~commission~~)) department shall deem proper. Unless deemed
26 inappropriate by the department, the department shall utilize unstaffed
27 collection stations to collect any fees or distribute any permits
28 necessary for access to state parks;

29 (7) Enter into agreements whereby individuals or companies may rent
30 undeveloped parks or parkway land for grazing, agricultural, or mineral
31 development purposes upon such terms and conditions as the
32 ((~~commission~~)) department shall deem proper, for a term not to exceed
33 forty years;

34 (8) Determine the qualifications of and employ a director of parks
35 and recreation who shall receive a salary as fixed by the governor in
36 accordance with the provisions of RCW 43.03.040 and determine the
37 qualifications and salary of and employ such other persons as may be
38 needed to carry out the provisions hereof; and

1 (9) (~~Without being limited to the powers hereinbefore enumerated,~~
2 ~~the commission shall have~~) Utilize such other powers as in the
3 judgment of a majority of its members are deemed necessary to
4 effectuate the purposes of this chapter(~~(+ PROVIDED, That)~~). However,
5 the (~~commission shall~~) department does not have power to supervise
6 directly any local park or recreation district, and no funds shall be
7 made available for such purpose.

8 **Sec. 18.** RCW 77.32.070 and 2008 c 244 s 1 are each amended to read
9 as follows:

10 (1) Applicants for a license, permit, tag, or stamp shall furnish
11 the information required by the director. However, the director may
12 not require the purchaser of a razor clam license under RCW 77.32.520,
13 a discover pass under section 2 of this act, or a day use permit under
14 section 3 of this act to provide any personal information except for,
15 when appropriate, proof of residency. The commission may adopt rules
16 requiring licensees or permittees to keep records and make reports
17 concerning the taking of or effort to harvest fish, shellfish, and
18 wildlife. The reporting requirement may be waived where, for any
19 reason, the department is not able to receive the report. The
20 department must provide reasonable options for a licensee to submit
21 information to a live operator prior to the reporting deadline.

22 (2) The commission may, by rule, set an administrative penalty for
23 failure to comply with rules requiring the reporting of taking or
24 effort to harvest wildlife. The commission may also adopt rules
25 requiring hunters who have not reported for the previous license year
26 to complete a report and pay the assessed administrative penalty before
27 a new hunting license is issued.

28 (a) The total administrative penalty per hunter set by the
29 commission must not exceed ten dollars.

30 (b) By December 31st of each year, the department shall report the
31 rate of hunter compliance with the harvest reporting requirement, the
32 administrative penalty imposed for failing to report, and the amount of
33 administrative penalties collected during that year to the appropriate
34 fiscal and policy committees of the senate and house of
35 representatives.

36 (3) The commission may, by rule, set an administrative penalty for
37 failure to comply with rules requiring the reporting of data from catch

1 record cards officially endorsed for Puget Sound Dungeness crab. The
2 commission may also adopt rules requiring fishers who possessed a catch
3 record card officially endorsed for Puget Sound Dungeness crab and who
4 have not reported for the previous license year to complete a report
5 and pay the assessed administrative penalty before a new catch record
6 card officially endorsed for Puget Sound Dungeness crab is issued.

7 (a) The total administrative penalty per fisher set by the
8 commission must not exceed ten dollars.

9 (b) By December 31st of each year, the department shall report the
10 rate of fisher compliance with the Puget Sound Dungeness crab catch
11 record card reporting requirement, the administrative penalty imposed
12 for failing to report, and the amount of administrative penalties
13 collected during that year to the appropriate fiscal and policy
14 committees of the senate and house of representatives.

15 **Sec. 19.** RCW 77.32.050 and 2011 c 339 s 5 are each amended to read
16 as follows:

17 (1) All recreational and commercial licenses, permits, tags,
18 stamps, and raffle tickets shall be issued under the authority of the
19 commission. The commission shall adopt rules for the issuance of
20 licenses, permits, tags, stamps, and raffle tickets, and for the
21 collection, payment, and handling of license fees, including terms and
22 conditions to govern dealers, and dealer fees. A transaction fee on
23 commercial and recreational documents issued through an automated
24 licensing system may be set by the commission and collected from
25 licensees. The department may authorize all or part of such fee to be
26 paid directly to a contractor providing automated licensing system
27 services. The department and dealers shall collect and retain dealer
28 fees of at least two dollars for purchase of a standard hunting or
29 fishing recreational license document or commercial license document,
30 except that the commission may set a lower dealer fee for issuance of
31 tags or when a licensee buys a license that involves a stamp or display
32 card format rather than a standard department licensing document form
33 or for purchases of a discover pass under section 2 of this act or a
34 day use permit under section 3 of this act. Dealer fees must be
35 uniform throughout the state.

36 (2) ~~((Until September 1, 2011, the department shall charge an~~
37 ~~additional transaction fee of ten percent on all recreational licenses,~~

1 ~~permits, tags, stamps, or raffle tickets. These transaction fees must~~
2 ~~be deposited into the state wildlife account, created in RCW 77.12.170,~~
3 ~~for funding fishing and hunting opportunities for recreational license~~
4 ~~holders.~~

5 (3)) The application fee is waived for all commercial license
6 documents that are issued through the automated licensing system.

7 **Sec. 20.** RCW 46.01.140 and 2011 c 171 s 11 are each amended to
8 read as follows:

9 (1) **County auditor/agent duties.** A county auditor or other agent
10 appointed by the director shall:

11 (a) Enter into a standard contract provided by the director;

12 (b) Provide all services authorized by the director for vehicle
13 certificates of title and vehicle registration applications and
14 issuance under the direction and supervision of the director including,
15 but not limited to:

16 (i) Processing reports of sale;

17 (ii) Processing transitional ownership transactions;

18 (iii) Processing mail-in vehicle registration renewals until
19 directed otherwise by legislative authority;

20 (iv) Issuing registrations and temporary ORV use permits for
21 off-road vehicles as required under chapter 46.09 RCW;

22 (v) Issuing registrations for snowmobiles as required under chapter
23 46.10 RCW; and

24 (vi) Collecting fees and taxes as required;

25 (c) If authorized by the director, offer for sale and distribute
26 discover passes and day use permits as provided in chapter 79A.80 RCW.

27 (2) **County auditor/agent assistants and subagents.** A county
28 auditor or other agent appointed by the director may, with approval of
29 the director:

30 (a) Appoint assistants as special deputies to accept applications
31 for vehicle certificates of title and to issue vehicle registrations;
32 and

33 (b) Recommend and request that the director appoint subagencies
34 within the county to accept applications for vehicle certificates of
35 title and vehicle registration application issuance.

36 (3) **Appointing subagents.** A county auditor or other agent

1 appointed by the director who requests a subagency shall, with approval
2 of the director:

3 (a) Use an open competitive process including, but not limited to,
4 a written business proposal and oral interview to determine the
5 qualifications of all interested applicants; and

6 (b) Submit all proposals to the director with a recommendation for
7 appointment of one or more subagents who have applied through the open
8 competitive process. If a qualified successor who is an existing
9 subagent's sibling, spouse, or child, or a subagency employee has
10 applied, the county auditor shall provide the name of the qualified
11 successor and the name of one other applicant who is qualified and was
12 chosen through the open competitive process.

13 (4) **Subagent duties.** A subagent appointed by the director shall:

14 (a) Enter into a standard contract with the county auditor or agent
15 provided by the director; (~~and~~)

16 (b) Provide all services authorized by the director for vehicle
17 certificates of title and vehicle registration applications and
18 issuance under the direction and supervision of the county auditor or
19 agent and the director including, but not limited to:

20 (i) Processing reports of sale;

21 (ii) Processing transitional ownership transactions;

22 (iii) Mailing out vehicle registrations and replacement plates to
23 internet payment option customers until directed otherwise by
24 legislative authority;

25 (iv) Issuing registrations and temporary ORV use permits for
26 off-road vehicles as required under chapter 46.09 RCW;

27 (v) Issuing registrations for snowmobiles as required under chapter
28 46.10 RCW; and

29 (vi) Collecting fees and taxes as required; and

30 (c) If authorized by the director, offer for sale and distribute
31 discover passes and day use permits as provided in chapter 79A.80 RCW.

32 (5) **Subagent successorship.** A subagent appointed by the director
33 who no longer wants his or her appointment may recommend a successor
34 who is the subagent's sibling, spouse, or child, or a subagency
35 employee. The recommended successor must participate in the open
36 competitive process used to select an applicant. In making successor
37 recommendations and appointment determinations, the following
38 provisions apply:

1 (a) If a subagency is held by a partnership or corporate entity,
2 the nomination must be submitted on behalf of, and agreed to by, all
3 partners or corporate officers;

4 (b) A subagent may not receive any direct or indirect compensation
5 or remuneration from any party or entity in recognition of a successor
6 nomination. A subagent may not receive any financial benefit from the
7 transfer or termination of an appointment; and

8 (c) The appointment of a successor is intended to assist in the
9 efficient transfer of appointments to minimize public inconvenience.
10 The appointment of a successor does not create a proprietary or
11 property interest in the appointment.

12 (6) **Standard contracts.** The standard contracts provided by the
13 director in this section may include provisions that the director deems
14 necessary to ensure that readily accessible and acceptable service is
15 provided to the citizens of the state, including the full collection of
16 fees and taxes. The standard contracts must include provisions that:

17 (a) Describe responsibilities and liabilities of each party related
18 to service expectations and levels;

19 (b) Describe the equipment to be supplied by the department and
20 equipment maintenance;

21 (c) Require specific types of insurance or bonds, or both, to
22 protect the state against any loss of collected revenue or loss of
23 equipment;

24 (d) Specify the amount of training that will be provided by each of
25 the parties;

26 (e) Describe allowable costs that may be charged for vehicle
27 registration activities as described in subsection (7) of this section;
28 and

29 (f) Describe causes and procedures for termination of the contract,
30 which may include mediation and binding arbitration.

31 (7) **County auditor/agent cost reimbursement.** A county auditor or
32 other agent appointed by the director who does not cover expenses for
33 services provided by the standard contract may submit to the department
34 a request for cost-coverage moneys. The request must be submitted on
35 a form developed by the department. The department shall develop
36 procedures to standardize and identify allowable costs and to verify
37 whether a request is reasonable. Payment must be made on those
38 requests found to be allowable from the licensing services account.

1 (8) **County auditor/agent revenue disbursement.** County revenues
2 that exceed the cost of providing services described in the standard
3 contract, calculated in accordance with the procedures in subsection
4 (7) of this section, must be expended as determined by the county
5 legislative authority during the process established by law for
6 adoption of county budgets.

7 (9) **Appointment authority.** The director has final appointment
8 authority for county auditors or other agents or subagents.

9 (10) **Rules.** The director may adopt rules to implement this
10 section.

11 NEW SECTION. **Sec. 21.** A new section is added to chapter 46.01 RCW
12 to read as follows:

13 The department of licensing may, in coordination with the state
14 parks and recreation department, offer for sale and distribute discover
15 passes and day use permits, as provided in chapter 79A.80 RCW, at
16 department driver licenses offices. Any amounts collected by the
17 department through the sales of discover passes and day use permits
18 must be deposited in the recreation access pass account created in
19 section 6 of this act.

20 **Sec. 22.** RCW 46.16A.090 and 2011 c 320 s 12 are each amended to
21 read as follows:

22 (1) The department, county auditor or other agent, or subagent
23 appointed by the director shall provide an opportunity for a vehicle
24 owner to make a voluntary donation as provided in this section when
25 applying for an initial or renewal vehicle registration.

26 (2)(a) A vehicle owner who registers a vehicle under this chapter
27 may donate one dollar or more to the organ and tissue donation
28 awareness account to promote the donation of organs and tissues under
29 the uniform anatomical gift act as described in chapter 68.64 RCW. The
30 donation of one or more dollars is voluntary and may be refused by the
31 vehicle owner.

32 (b) The department, county auditor or other agent, or subagent
33 appointed by the director shall:

34 (i) Ask a vehicle owner applying for a vehicle registration if the
35 owner would like to donate one dollar or more;

1 (ii) Inform a vehicle owner of the option for organ and tissue
2 donations as required under RCW 46.20.113; and

3 (iii) Make information booklets or other informational material
4 available regarding the importance of organ and tissue donations to
5 vehicle owners.

6 (c) All reasonable costs associated with the creation of the
7 donation program created under this section must be paid proportionally
8 or by another agreement by a participating Washington state organ
9 procurement organization established for organ and tissue donation
10 awareness purposes by the Washington state organ procurement
11 organizations. For the purposes of this section, "reasonable costs"
12 and "Washington state organ procurement organization" have the same
13 meaning as in RCW 68.64.010.

14 (3) The department shall collect from a vehicle owner who pays a
15 vehicle license fee under RCW 46.17.350(1) (a), (d), (e), (g), (h),
16 (j), (n), (o), or (q) or who registers a vehicle under RCW 46.16A.455
17 with a declared gross weight of ten thousand pounds or less a voluntary
18 donation of five dollars to support Washington's state park system.
19 The donation may not be collected from any vehicle owner actively
20 opting not to participate in the donation program. The department
21 shall ensure that the opt-out donation under this section is clear,
22 visible, and prominently displayed in both paper and online vehicle
23 registration renewals. Notification of intent to not participate in
24 the donation program must be provided annually at the time of vehicle
25 registration renewal. The donation must be deposited in the state
26 parks renewal and stewardship account established in RCW 79A.05.215 to
27 be used for the operation and maintenance of state parks.

28 (~~(Beginning with vehicle license fees that are due or will~~
29 ~~become due on or after October 1, 2011,)) A vehicle owner who registers
30 a vehicle under this chapter may purchase a discover pass for (~~a fee~~
31 ~~of thirty dollars, as may be adjusted for inflation under RCW~~
32 ~~79A.80.020)) the purchase price of a discover pass as established in
33 section 2 of this act. Purchase of the discover pass is voluntary by
34 the vehicle owner. The discover pass fee must be deposited in the
35 recreation access pass account created in (~~RCW 79A.80.090~~) section 6
36 of this act. The department, county auditor, or other agent or
37 subagent appointed by the director is not responsible for delivering a~~~~

1 purchased discover pass to a motor vehicle owner. The agencies, as
2 defined in (~~RCW 79A.80.010~~) section 1 of this act, must deliver the
3 purchased discover pass to a motor vehicle owner.

4 NEW SECTION. Sec. 23. (1) A state agency may not refund money for
5 a discover pass or day use permit purchased prior to the effective date
6 of this section.

7 (2) Each pass or permit purchased prior to the effective date of
8 this section is valid for two license plate numbers written on the
9 pass.

10 (3) For the purposes of this section, "discover pass" and "day use
11 permit" refer to the passes and permits defined in section 1 of this
12 act.

13 (4) This section expires December 31, 2013.

14 NEW SECTION. Sec. 24. A new section is added to chapter 79A.05
15 RCW to read as follows:

16 There is created an agency of state government to be known as the
17 state parks and recreation department with the duties and
18 responsibilities set forth in this title. The director of the
19 department must be appointed by the governor.

20 **Sec. 25.** RCW 79A.05.010 and 1999 c 249 s 101 are each amended to
21 read as follows:

22 The definitions in this section apply throughout this title unless
23 the context clearly requires otherwise.

24 (1) (~~("Commission")~~) "Department" means the state parks and
25 recreation (~~(commission)~~) department.

26 (2) (~~("Chair" means the member of the commission elected pursuant~~
27 ~~to RCW 79A.05.025.~~

28 ~~(3))~~ "Director" and "director of the state parks and recreation
29 (~~(commission)~~) department" mean the director of the state parks and
30 recreation department or the director's designee.

31 (~~(4))~~ (3) "Recreation" means those activities of a voluntary and
32 leisure time nature that aid in promoting entertainment, pleasure,
33 play, relaxation, or instruction.

34 (~~(5))~~ (4) "Natural forest" means a forest that faithfully

1 represents, or is meant to become representative of, its unaltered
2 state.

3 **Sec. 26.** RCW 79A.05.020 and 2011 c 171 s 114 are each amended to
4 read as follows:

5 In addition to whatever other duties may exist in law or be imposed
6 in the future, it is the duty of the (~~commission~~) director to:

7 (1) Implement integrated pest management practices and regulate
8 pests as required by RCW 17.15.020;

9 (2) Take steps necessary to control spartina and purple loosestrife
10 as required by RCW 17.26.020;

11 (3) Participate in the implementation of chapter 19.02 RCW;

12 (4) Coordinate planning and provide staffing and administrative
13 assistance to the Lewis and Clark trail committee as required by RCW
14 27.34.340;

15 (5) Administer those portions of chapter 46.10 RCW not dealing with
16 the registration of snowmobiles as required by RCW 46.10.370;

17 (6) Consult and participate in the scenic and recreational highway
18 system as required by chapter 47.39 RCW; and

19 (7) Develop, prepare, and distribute information relating to marine
20 oil recycling tanks and sewage holding tank pumping stations, in
21 cooperation with other departments, as required by chapter 88.02 RCW.

22 The (~~commission~~) director has the power reasonably necessary to
23 carry out these duties.

24 **Sec. 27.** RCW 79A.05.030 and 2005 c 373 s 1 and 2005 c 360 s 5 are
25 each reenacted and amended to read as follows:

26 The (~~commission~~) director shall:

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

30 (2) Adopt policies, and adopt, issue, and enforce rules pertaining
31 to the use, care, and administration of state parks and parkways. The
32 (~~commission~~) department shall cause a copy of the rules to be kept
33 posted in a conspicuous place in every state park to which they are
34 applicable, but failure to post or keep any rule posted shall be no
35 defense to any prosecution for the violation thereof.

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

3 (4) Clear, drain, grade, seed, and otherwise improve or beautify
4 parks and parkways, and erect structures, buildings, fireplaces, and
5 comfort stations and build and maintain paths, trails, and roadways
6 through or on parks and parkways.

7 (5) Grant concessions or leases in state parks and parkways, upon
8 such rentals, fees, or percentage of income or profits and for such
9 terms, in no event longer than fifty years, and upon such conditions as
10 shall be approved by the ((~~commission~~)) department: PROVIDED, That
11 leases exceeding a twenty-year term shall require a unanimous vote of
12 the ((~~commission~~)) department: PROVIDED FURTHER, That if, during the
13 term of any concession or lease, it is the opinion of the
14 ((~~commission~~)) department that it would be in the best interest of the
15 state, the ((~~commission~~)) department may, with the consent of the
16 concessionaire or lessee, alter and amend the terms and conditions of
17 such concession or lease: PROVIDED FURTHER, That television station
18 leases shall be subject to the provisions of RCW 79A.05.085, only:
19 PROVIDED FURTHER, That the rates of such concessions or leases shall be
20 renegotiated at five-year intervals. No concession shall be granted
21 which will prevent the public from having free access to the scenic
22 attractions of any park or parkway.

23 (6) Employ such assistance as it deems necessary. ((~~Commission~~))
24 Department expenses relating to its use of volunteer assistance shall
25 be limited to premiums or assessments for the insurance of volunteers
26 by the department of labor and industries, compensation of staff who
27 assist volunteers, materials and equipment used in authorized volunteer
28 projects, training, reimbursement of volunteer travel as provided in
29 RCW 43.03.050 and 43.03.060, and other reasonable expenses relating to
30 volunteer recognition. The ((~~commission~~)) department, at its
31 discretion, may waive ((~~commission~~)) department fees otherwise
32 applicable to volunteers. The ((~~commission~~)) department shall not use
33 volunteers to replace or supplant classified positions. The use of
34 volunteers may not lead to the elimination of any employees or
35 permanent positions in the bargaining unit.

36 (7) By majority vote of its authorized membership select and
37 purchase or obtain options upon, lease, or otherwise acquire for and in
38 the name of the state such tracts of land, including shore and tide

1 lands, for park and parkway purposes as it deems proper. If the
2 (~~commission~~) department cannot acquire any tract at a price it deems
3 reasonable, it may, by majority vote of its authorized membership,
4 obtain title thereto, or any part thereof, by condemnation proceedings
5 conducted by the attorney general as provided for the condemnation of
6 rights-of-way for state highways. Option agreements executed under
7 authority of this subsection shall be valid only if:

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

10 (b) Moneys used for the purchase of the option agreement are from
11 (i) funds appropriated therefor, or (ii) funds appropriated for
12 undesignated land acquisitions, or (iii) funds deemed by the
13 (~~commission~~) department to be in excess of the amount necessary for
14 the purposes for which they were appropriated; and

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

17 (8) Cooperate with the United States, or any county or city of this
18 state, in any matter pertaining to the acquisition, development,
19 redevelopment, renovation, care, control, or supervision of any park or
20 parkway, and enter into contracts in writing to that end. All parks or
21 parkways, to which the state contributed or in whose care, control, or
22 supervision the state participated pursuant to the provisions of this
23 section, shall be governed by the provisions hereof.

24 (9) Within allowable resources, maintain policies that increase the
25 number of people who have access to free or low-cost recreational
26 opportunities for physical activity, including noncompetitive physical
27 activity.

28 (10) Adopt rules establishing the requirements for a criminal
29 history record information search for the following: Job applicants,
30 volunteers, and independent contractors who have unsupervised access to
31 children or vulnerable adults, or who will be responsible for
32 collecting or disbursing cash or processing credit/debit card
33 transactions. These background checks will be done through the
34 Washington state patrol criminal identification section and may include
35 a national check from the federal bureau of investigation, which shall
36 be through the submission of fingerprints. A permanent employee of the
37 (~~commission~~) department, employed as of July 24, 2005, is exempt from
38 the provisions of this subsection.

1 **Sec. 28.** RCW 79A.05.035 and 1999 c 249 s 303 are each amended to
2 read as follows:

3 (1) The (~~commission~~) director shall:

4 (a) Manage timber and land under its jurisdiction to maintain and
5 enhance aesthetic and recreational values;

6 (b) Apply modern conservation practices to maintain and enhance
7 aesthetic, recreational, and ecological resources; and

8 (c) Designate and preserve certain forest areas throughout the
9 state as natural forests or natural areas for interpretation, study,
10 and preservation purposes.

11 (2) Trees may be removed from state parks:

12 (a) When hazardous to persons, property, or facilities;

13 (b) As part of a park maintenance or development project, or
14 conservation practice;

15 (c) As part of a road or utility easement; or

16 (d) When damaged by a catastrophic forest event.

17 (3) Tree removal under subsection (2) of this section shall be done
18 by (~~commission~~) department personnel, unless the personnel lack
19 necessary expertise. Except in emergencies and when feasible,
20 significant trees shall be removed only after they have been marked or
21 appraised by a professional forester. The removal of significant trees
22 from a natural forest may take place only after a public hearing has
23 been held, except in emergencies.

24 (4) When feasible, felled timber shall be left on the ground for
25 natural purposes or used for park purposes including, but not limited
26 to, building projects, trail mulching, and firewood. In natural forest
27 areas, first consideration shall be given to leaving timber on the
28 ground for natural purposes.

29 (5) The (~~commission~~) director may issue permits to individuals
30 under RCW 4.24.210 and 79A.05.090 for the removal of wood debris from
31 state parks for personal firewood use.

32 (6) Only timber that qualifies for cutting or removal under
33 subsection (2) of this section may be sold. Timber shall be sold only
34 when surplus to the needs of the park.

35 (7) Net revenue derived from timber sales shall be deposited in the
36 state parks renewal and stewardship account created in RCW 79A.05.215.

1 **Sec. 29.** RCW 79A.05.040 and 1999 c 249 s 401 are each amended to
2 read as follows:

3 In addition to other duties, the ~~((commission))~~ director may ~~((from~~
4 ~~time to time impose, it is the duty of the director to))~~:

5 (1) Ensure the control of weeds in parks to the extent required by
6 RCW 17.04.160 and 17.10.205; and

7 (2) Participate in the operations of the environmental enhancement
8 and job creation task force under chapter 43.21J RCW.

9 The director has the power reasonably necessary to carry out these
10 duties.

11 **Sec. 30.** RCW 79A.05.045 and 1999 c 249 s 304 are each amended to
12 read as follows:

13 (1) The ~~((commission))~~ director shall provide waste reduction and
14 recycling information in each state park campground and day-use area.

15 (2) The ~~((commission))~~ director shall provide recycling receptacles
16 in the day-use and campground areas of at least forty state parks. The
17 receptacles shall be clearly marked for the disposal of at least two of
18 the following recyclable materials: Aluminum, glass, newspaper,
19 plastic, and tin. The ~~((commission))~~ department shall endeavor to
20 provide recycling receptacles in parks that are near urban centers or
21 in heavily used parks.

22 (3) The ~~((commission))~~ director shall provide daily maintenance of
23 such receptacles from April through September of each year.

24 (4) The ~~((commission))~~ director is authorized to enter into
25 agreements with any person, company, or nonprofit organization to
26 provide for the collection and transport of recyclable materials and
27 related activities under this section.

28 **Sec. 31.** RCW 79A.05.050 and 2002 c 175 s 52 are each amended to
29 read as follows:

30 (1) The ~~((commission))~~ director shall establish a policy and
31 procedures for supervising and evaluating community restitution
32 activities that may be imposed under RCW 70.93.060(3) including a
33 description of what constitutes satisfactory completion of community
34 restitution.

35 (2) The ~~((commission))~~ director shall inform each state park of the
36 policy and procedures regarding community restitution activities, and

1 each state park shall then notify the (~~commission~~) department as to
2 whether or not the park elects to participate in the community
3 restitution program. The (~~commission~~) department shall transmit a
4 list notifying the district courts of each state park that elects to
5 participate.

6 **Sec. 32.** RCW 79A.05.055 and 1997 c 137 s 1 are each amended to
7 read as follows:

8 The (~~commission~~) director may:

9 (1) Study and appraise parks and recreational needs of the state
10 and assemble and disseminate information relative to parks and
11 recreation;

12 (2) Make provisions for the publication and sale of interpretive,
13 recreational, and historical materials and literature. Proceeds from
14 such sales shall be directed to the parks improvement account; and

15 (3) Coordinate the parks and recreational functions of the various
16 state departments, and cooperate with state and federal agencies in the
17 promotion of parks and recreational opportunities.

18 **Sec. 33.** RCW 79A.05.060 and 1999 c 249 s 402 are each amended to
19 read as follows:

20 (1) The parks improvement account is hereby established in the
21 state treasury.

22 (2) The (~~commission~~) director shall deposit all moneys received
23 from the sale of interpretive, recreational, and historical literature
24 and materials in this account. Moneys in the account may be spent only
25 for development, production, and distribution costs associated with
26 literature and materials.

27 (3) Disbursements from the account shall be on the authority of the
28 director, or the director's designee. The account is subject to the
29 allotment procedure provided under chapter 43.88 RCW. No appropriation
30 is required for disbursement of moneys to be used for support of
31 further production of materials provided for in RCW 79A.05.055(2). The
32 director may transfer a portion of the moneys in this account to the
33 state parks renewal and stewardship account and may expend moneys so
34 transferred for any purpose provided for in RCW 79A.05.215.

1 **Sec. 34.** RCW 79A.05.065 and 2011 c 171 s 115 are each amended to
2 read as follows:

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

9 (b) The (~~commission~~) director shall grant a senior citizen's pass
10 to any person who applies for the senior citizen's pass and who meets
11 the 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
15 (~~commission~~) director; 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~~) department employee when the employee
29 has reason to believe the holder fails to meet the criteria in (b) of
30 this subsection. The holder shall have the pass returned upon
31 providing proof to the satisfaction of the director that the holder
32 meets the 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~~) director; and (ii)
8 entitle such 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~~) department, and to allow the holder free admission to
14 state parks.

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

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

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

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

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

1 (i) "Out-of-home care" means placement in a foster-family home or
2 with a person related to the child under the authority of chapter
3 13.32A, 13.34, or 74.13 RCW;

4 (ii) "Foster-family home" has the same meaning as defined in RCW
5 74.15.020; and

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

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

11 (6) The ((~~commission~~)) director shall negotiate payment and costs,
12 to allow holders of a foster home pass free access and usage of park
13 campsites, with the following nonoperated, nonstate-owned parks:
14 Central Ferry, Chief Timothy, Crow Butte, and Lyons Ferry. The
15 ((~~commission~~)) department shall seek state general fund reimbursement
16 on a biennial basis.

17 (7) The ((~~commission~~)) director may deny or revoke any Washington
18 state park pass issued under this section for cause, including but not
19 limited to the following:

20 (a) Residency outside the state of Washington;

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

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

25 (d) Fraudulent use of a pass;

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

28 (f) Refusing to display or show the pass to park employees when
29 requested; or

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

32 (8) This section shall not affect or otherwise impair the power of
33 the ((~~commission~~)) department to continue or discontinue any other
34 programs it has adopted for senior citizens.

35 (9) The ((~~commission~~)) director may engage in a mutually agreed
36 upon reciprocal or discounted program for all or specific pass programs
37 with other outdoor recreation agencies.

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

9 **Sec. 35.** RCW 79A.05.080 and 1965 c 8 s 43.51.062 are each amended
10 to read as follows:

11 The state parks and recreation (~~commission~~) department is hereby
12 authorized to lease the use of such areas in Mount Spokane state park,
13 Steptoe Butte state park, Kamiak Butte state park or any other state
14 park for television stations as the (~~commission~~) department may
15 decide are suitable for that purpose: PROVIDED, That this authority
16 shall not extend to school lands or lands held by the state of
17 Washington for educational purposes.

18 **Sec. 36.** RCW 79A.05.085 and 1974 ex.s. c 151 s 1 are each amended
19 to read as follows:

20 The (~~commission~~) director shall determine the fair market value
21 for television station leases based upon independent appraisals and
22 existing leases for television stations shall be extended at said fair
23 market rental for at least one period of not more than twenty years:
24 PROVIDED, That the rates in said leases shall be renegotiated at five
25 year intervals: PROVIDED FURTHER, That said stations shall permit the
26 attachment of antennae of publicly operated broadcast and microwave
27 stations where electronically practical to combine the towers:
28 PROVIDED FURTHER, That notwithstanding any term to the contrary in any
29 lease, this section shall not preclude the (~~commission~~) director from
30 prescribing new and reasonable lease terms relating to the
31 modification, placement or design of facilities operated by or for a
32 station, and any extension of a lease granted under this section shall
33 be subject to this proviso: PROVIDED FURTHER, That notwithstanding any
34 other provision of law the director in his discretion may waive any
35 requirement that any environmental impact statement or environmental

1 assessment be submitted as to any lease negotiated and signed between
2 January 1, 1974 and December 31, 1974.

3 **Sec. 37.** RCW 79A.05.090 and 1983 c 193 s 1 are each amended to
4 read as follows:

5 Persons over the age of sixty-five are exempt from any permit or
6 other administrative fee imposed by the ((~~commission~~)) director for the
7 collection of wood debris in state parks, if such wood is for personal
8 use.

9 **Sec. 38.** RCW 79A.05.095 and 1999 c 249 s 901 are each amended to
10 read as follows:

11 The ((~~commission~~)) department may receive and accept donations of
12 lands for state park purposes, and shall be responsible for the
13 management and control of all lands so acquired. It may from time to
14 time recommend to the legislature the acquisition of lands for park
15 purposes by purchase or condemnation.

16 **Sec. 39.** RCW 79A.05.100 and 1997 c 137 s 3 are each amended to
17 read as follows:

18 The ((~~commission~~)) department may receive in trust any money
19 donated or bequeathed to it, and carry out the terms of such donation
20 or bequest, or, in the absence of such terms, expend the same as it may
21 deem advisable for park or parkway purposes.

22 Money so received shall be deposited in the state parks renewal and
23 stewardship account.

24 **Sec. 40.** RCW 79A.05.105 and 1965 c 8 s 43.51.100 are each amended
25 to read as follows:

26 Inasmuch as the value of land with standing timber is increasing
27 and will continue to increase from year to year and no loss will be
28 caused to the common school fund or other fund into which the proceeds
29 of the sale of any land held by the state would be paid by postponing
30 the sale thereof, the commissioner of public lands may, upon his or her
31 own motion, and shall, when directed so to do by the ((~~state parks and~~
32 ~~recreation commission~~)) department, withdraw from sale any land held by
33 the state abutting on any public highway and certify to the

1 ((~~commission~~)) department that such land is withheld from sale pursuant
2 to the terms of this section.

3 Such lands shall not be sold until directed by the legislature, and
4 shall in the meantime be under the care, charge, control, and
5 supervision of the ((~~commission~~)) department.

6 **Sec. 41.** RCW 79A.05.110 and 1999 c 249 s 902 are each amended to
7 read as follows:

8 The commissioner of public lands may, upon his or her own motion,
9 and shall, when directed so to do by the ((~~commission~~)) department,
10 withdraw from sale any land held by the state and not acquired directly
11 from the United States with reservations as to the manner of sale
12 thereof and the purposes for which it may be sold, and certify to the
13 ((~~commission~~)) department that such land is withheld from sale pursuant
14 to the terms of this section.

15 All such land shall be under the care, charge, control, and
16 supervision of the ((~~commission~~)) department, and after appraisal in
17 such manner as the ((~~commission~~)) department directs may be exchanged
18 for land of equal value, and to this end the ((~~chair and secretary of~~
19 ~~the commission~~)) director may execute deeds of conveyance in the name
20 of the state.

21 **Sec. 42.** RCW 79A.05.115 and 2009 c 338 s 1 are each amended to
22 read as follows:

23 (1) The ((~~commission~~)) department shall develop and maintain a
24 cross-state trail facility with appropriate appurtenances.

25 (2) This section expires July 1, 2019, unless the department of
26 transportation enters into a franchise agreement for a rail line over
27 any of the portions of the Milwaukee Road corridor between Ellensburg
28 and Marengo by July 1, 2019.

29 **Sec. 43.** RCW 79A.05.120 and 2009 c 338 s 2 are each amended to
30 read as follows:

31 (1) To facilitate completion of a cross-state trail under the
32 management of the ((~~parks and recreation commission~~)) department,
33 management and control of lands known as the Milwaukee Road corridor
34 shall be transferred between state agencies as follows on the date a

1 franchise agreement is entered into for a rail line over portions of
2 the Milwaukee Road corridor:

3 (a) Portions owned by the state between Ellensburg and the Columbia
4 river that are managed by the (~~(parks and recreation commission))~~
5 department are transferred to the department of transportation;

6 (b) Portions owned by the state between the west side of the
7 Columbia river and Royal City Junction and between Warden and Lind that
8 are managed by the department of natural resources are transferred to
9 the department of transportation;

10 (c) Portions owned by the state between Lind and the Idaho border
11 that are managed by the department of natural resources are transferred
12 to the (~~(parks and recreation commission))~~ department as of June 7,
13 2006; and

14 (d) Portions owned by the state between Lind and Marengo are
15 transferred to the department of transportation.

16 (2) The department of natural resources may, by mutual agreement
17 with the (~~(parks and recreation commission))~~ department, transfer
18 management authority over portions of the Milwaukee Road corridor to
19 the (~~(state parks and recreation commission))~~ department, at any time
20 prior to the department of transportation entering into a franchise
21 agreement.

22 (3) This section expires July 1, 2019, and no transfers shall occur
23 unless the department of transportation enters into a franchise
24 agreement for a rail line over any of the portions of the Milwaukee
25 Road corridor between Ellensburg and Marengo by July 1, 2019.

26 **Sec. 44.** RCW 79A.05.125 and 2009 c 338 s 3 are each amended to
27 read as follows:

28 (1) The department of transportation shall negotiate one or more
29 franchises with rail carriers to establish and maintain a rail line
30 over portions of the Milwaukee Road corridor owned by the state between
31 Ellensburg and Marengo. The department of transportation may negotiate
32 such a franchise with any qualified rail carrier. Criteria for
33 negotiating the franchise and establishing the right-of-way include:

34 (a) Assurances that resources from the franchise will be sufficient
35 to compensate the state for use of the property, including completion
36 of a cross-state trail between Easton and the Idaho border;

1 (b) Types of payment for use of the franchise, including payment
2 for the use of federally granted trust lands in the transportation
3 corridor;

4 (c) Standards for maintenance of the line;

5 (d) Provisions ensuring that both the conventional and intermodal
6 rail service needs of local shippers are met. Such accommodations may
7 comprise agreements with the franchisee to offer or maintain adequate
8 service or to provide service by other carriers at commercially
9 reasonable rates;

10 (e) Provisions requiring the franchisee, upon reasonable request of
11 any other rail operator, to provide rail service and interchange
12 freight over what is commonly known as the Stampede Pass rail line from
13 Cle Elum to Auburn at commercially reasonable rates;

14 (f) If any part of the franchise agreement is invalidated by
15 actions or rulings of the federal surface transportation board or a
16 court of competent jurisdiction, the remaining portions of the
17 franchise agreement are not affected;

18 (g) Compliance with environmental standards; and

19 (h) Provisions for insurance and the coverage of liability.

20 (2) The franchise may provide for periodic review of financial
21 arrangements under the franchise.

22 (3) The department of transportation, in consultation with the
23 (~~(parks and recreation commission)~~) department and the senate and house
24 transportation committees, shall negotiate the terms of the franchise,
25 and shall present the agreement to the (~~(parks and recreation~~
26 ~~commission)~~) department for approval of as to terms and provisions
27 affecting the cross-state trail or affecting the (~~(commission)~~)
28 department.

29 (4) This section expires July 1, 2019, unless the department of
30 transportation enters into a franchise agreement for a rail line over
31 any of the portions of the Milwaukee Road corridor between Ellensburg
32 and Marengo by July 1, 2019.

33 **Sec. 45.** RCW 79A.05.130 and 2009 c 338 s 4 are each amended to
34 read as follows:

35 (1) The cross-state trail account is created in the custody of the
36 state treasurer. Eleven million five hundred thousand dollars is
37 provided to the (~~(state parks and recreation commission)~~) department to

1 acquire, construct, and maintain a cross-state trail. This amount may
2 consist of: (a) Legislative appropriations intended for trail
3 development; (b) payments for the purchase of federally granted trust
4 lands; and (c) franchise fees derived from use of the rail corridor.
5 The legislature intends that any amounts provided from the
6 transportation fund are to be repaid to the transportation fund from
7 franchise fees.

8 (2) The department of transportation shall deposit franchise fees
9 from use of the rail corridor according to the following priority: (a)
10 To the department of transportation for actual costs incurred in
11 administering the franchise; (b) to the department of natural resources
12 as compensation for use of federally granted trust lands in the rail
13 corridor; (c) to the transportation fund to reimburse any amounts
14 transferred or appropriated from that fund by the legislature for trail
15 development; (d) to the cross-state trail account, not to exceed eleven
16 million five hundred thousand dollars, provided that this amount shall
17 be reduced proportionate with any funds transferred or appropriated by
18 the 1996 legislature or paid from franchise fees for the purchase of
19 federally granted trust lands or for trail development; and (e) the
20 remainder to the essential rail assistance account, created under RCW
21 47.76.250. Expenditures from the cross-state trail account may be used
22 only for the acquisition, development, operation, and maintenance of
23 the cross-state trail. Only the director of the (~~state parks and~~
24 ~~recreation commission~~) department or the director's designee may
25 authorize expenditures from the account. The account is subject to
26 allotment procedures under chapter 43.88 RCW, but no appropriation is
27 required for expenditures.

28 (3) The (~~commission~~) department may acquire land from willing
29 sellers for the cross-state trail, but not by eminent domain.

30 (4) The (~~commission~~) department shall adopt rules describing the
31 cross-state trail.

32 (5) This section expires July 1, 2019, unless the department of
33 transportation enters into a franchise agreement for a rail line over
34 any of the portions of the Milwaukee Road corridor between Ellensburg
35 and Marengo by July 1, 2019.

36 **Sec. 46.** RCW 79A.05.140 and 1999 c 59 s 2 are each amended to read
37 as follows:

1 The (~~state parks and recreation commission~~) department may grant
2 permits to individuals, groups, churches, charities, organizations,
3 agencies, clubs, or associations to improve any state park or parkway,
4 or any lands belonging to the state and withdrawn from sale under the
5 provisions of this chapter. These improvements shall not interfere
6 with access to or use of such public lands or facilities by the general
7 public and shall benefit the public in terms of safety, recreation,
8 aesthetics, or wildlife or natural area preservation. These
9 improvements on public lands and facilities shall be for the use of all
10 members of the general public.

11 **Sec. 47.** RCW 79A.05.145 and 1999 c 59 s 3 are each amended to read
12 as follows:

13 Any such individual, group, organization, agency, club, or
14 association desiring to obtain such permit shall make application
15 therefor in writing to the (~~commission~~) department, describing the
16 lands proposed to be improved and stating the nature of the proposed
17 improvement.

18 **Sec. 48.** RCW 79A.05.150 and 1982 c 156 s 3 are each amended to
19 read as follows:

20 If the (~~state parks and recreation commission~~) department
21 determines that the proposed improvement will substantially alter a
22 park, parkway, or park land, it shall require the applicant to submit
23 detailed plans and specifications of the proposed improvement, which,
24 as submitted, or as modified by the (~~state parks and recreation~~
25 ~~commission~~) department, shall be incorporated in the permit when
26 granted.

27 **Sec. 49.** RCW 79A.05.155 and 2000 c 11 s 31 are each amended to
28 read as follows:

29 If the (~~commission~~) department determines it necessary, the
30 applicant shall execute and file with the secretary of state a bond
31 payable to the state, in such penal sum as the (~~commission~~)
32 department shall require, with good and sufficient sureties to be
33 approved by the (~~commission~~) department, conditioned that the grantee
34 of the permit will make the improvement in accordance with the plans
35 and specifications contained in the permit, and, in case the

1 improvement is made upon lands withdrawn from sale under the provisions
2 of RCW 79A.05.105, will pay into the state treasury to the credit of
3 the fund to which the proceeds of the sale of such lands would belong,
4 the appraised value of all merchantable timber and material on the
5 land, destroyed, or used in making such improvement.

6 **Sec. 50.** RCW 79A.05.160 and 2011 c 320 s 15 are each amended to
7 read as follows:

8 (1) The (~~members of the commission~~) director and (~~its~~) the
9 director's designated employees shall be vested with police powers to
10 enforce the laws of this state.

11 (2) The director may, under the provisions of RCW 7.84.140, enter
12 into an agreement allowing employees of the department of natural
13 resources and the department of fish and wildlife to enforce certain
14 civil infractions created under this title.

15 **Sec. 51.** RCW 79A.05.165 and 2007 c 441 s 2 are each amended to
16 read as follows:

17 (1) Every person is guilty of a misdemeanor who:

18 (a) Cuts, breaks, injures, destroys, takes, or removes any tree,
19 shrub, timber, plant, or natural object in any park or parkway except
20 in accordance with such rules as the (~~commission~~) department may
21 prescribe; or

22 (b) Kills, or pursues with intent to kill, any bird or animal in
23 any park or parkway except in accordance with a research pass, permit,
24 or other approval issued by the (~~commission~~) department, pursuant to
25 rule, for scientific research purposes; or

26 (c) Takes any fish from the waters of any park or parkway, except
27 in conformity with such general rules as the (~~commission~~) department
28 may prescribe; or

29 (d) Willfully mutilates, injures, defaces, or destroys any
30 guidepost, notice, tablet, fence, inclosure, or work for the protection
31 or ornamentation of any park or parkway; or

32 (e) Lights any fire upon any park or parkway, except in such places
33 as the (~~commission~~) department has authorized, or willfully or
34 carelessly permits any fire which he or she has lighted or which is
35 under his or her charge, to spread or extend to or burn any of the
36 shrubbery, trees, timber, ornaments, or improvements upon any park or

1 parkway, or leaves any campfire which he or she has lighted or which
2 has been left in his or her charge, unattended by a competent person,
3 without extinguishing it; or

4 (f) Places within any park or parkway or affixes to any object
5 therein contained, without a written license from the ((~~commission~~))
6 department, any word, character, or device designed to advertise any
7 business, profession, article, thing, exhibition, matter, or event.

8 (2)(a) Except as provided in (b) of this subsection, a person who
9 violates any rule adopted, promulgated, or issued by the ((~~commission~~))
10 department pursuant to the provisions of this chapter is guilty of a
11 misdemeanor.

12 (b) The ((~~commission~~)) department may specify by rule, when not
13 inconsistent with applicable statutes, that violation of the rule is an
14 infraction under chapter 7.84 RCW.

15 **Sec. 52.** RCW 79A.05.170 and 1991 sp.s. c 13 s 23 are each amended
16 to read as follows:

17 (1) Any lands owned by the ((~~state parks and recreation~~
18 ~~commission~~)) department, which are determined to be surplus to the
19 needs of the state for development for state park purposes and which
20 the ((~~commission~~)) department proposes to deed to a local government or
21 other entity, shall be accompanied by a clause requiring that if the
22 land is not used for outdoor recreation purposes, ownership of the land
23 shall revert to the ((~~state parks and recreation commission~~))
24 department.

25 (2) The ((~~state parks and recreation commission~~)) department, in
26 cases where land subject to such a reversionary clause is proposed for
27 use or disposal for purposes other than recreation, shall require that,
28 if the land is surplus to the needs of the ((~~commission~~)) department
29 for park purposes at the time the ((~~commission~~)) department becomes
30 aware of its proposed use for nonrecreation purposes, the holder of the
31 land or property shall reimburse the ((~~commission~~)) department for the
32 release of the reversionary interest in the land. The reimbursement
33 shall be in the amount of the fair market value of the reversionary
34 interest as determined by a qualified appraiser agreeable to the
35 ((~~commission~~)) department. Appraisal costs shall be borne by the local
36 entity which holds title to the land.

1 (3) Any funds generated under a reimbursement under this section
2 shall be deposited in the parkland acquisition account which is hereby
3 created in the state treasury. Moneys in this account are to be used
4 solely for the purchase or acquisition of property for use as state
5 park property by the ((~~commission~~)) department, as directed by the
6 legislature; all such funds shall be subject to legislative
7 appropriation.

8 **Sec. 53.** RCW 79A.05.175 and 2007 c 145 s 1 are each amended to
9 read as follows:

10 Whenever the ((~~commission~~)) department finds that any land under
11 its control cannot advantageously be used for park purposes, it is
12 authorized to dispose of such land by the method provided in this
13 section or by the method provided in RCW 79A.05.170. If such lands are
14 school or other grant lands, control thereof shall be relinquished by
15 resolution of the ((~~commission~~)) department to the proper state
16 officials. If such lands were acquired under restrictive conveyances
17 by which the state may hold them only so long as they are used for park
18 purposes, they may be returned to the donor or grantors by the
19 ((~~commission~~)) department. All other such lands may be either sold by
20 the ((~~commission~~)) department to the highest bidder or exchanged for
21 other lands of equal value by the ((~~commission~~)) department, and all
22 conveyance documents shall be executed by the governor. All such
23 exchanges shall be accompanied by a transfer fee, to be set by the
24 ((~~commission~~)) department and paid by the other party to the transfer;
25 such fee shall be paid into the parkland acquisition account
26 established under RCW 79A.05.170. The ((~~commission~~)) department may
27 accept sealed bids, electronic bids, or oral bids at auction. Bids on
28 all sales shall be solicited at least twenty days in advance of the
29 sale date by an advertisement appearing at least once a week for two
30 consecutive weeks in a newspaper of general circulation in the county
31 in which the land to be sold is located. If the ((~~commission~~))
32 department feels that no bid received adequately reflects the fair
33 value of the land to be sold, it may reject all bids, and may call for
34 new bids. All proceeds derived from the sale of such park property
35 shall be paid into the park land acquisition account. All land
36 considered for exchange shall be evaluated by the ((~~commission~~))
37 department to determine its adaptability to park usage. The equal

1 value of all lands exchanged shall first be determined by the
2 appraisals to the satisfaction of the ((~~commission~~)) department. No
3 sale or exchange of state park lands shall be made without the
4 unanimous consent of the ((~~commission~~)) department.

5 **Sec. 54.** RCW 79A.05.178 and 2000 c 42 s 1 are each amended to read
6 as follows:

7 (1) Notwithstanding any other provision of this chapter, the
8 ((~~commission~~)) department may directly dispose of up to ten contiguous
9 acres of real property, without public auction, to resolve trespass,
10 property ownership disputes, and boundary adjustments with adjacent
11 private property owners. Real property to be disposed of under this
12 section may be disposed of only after appraisal and for at least fair
13 market value, and only if the transaction is in the best interest of
14 the state. The ((~~commission~~)) department shall cooperate with
15 potential purchasers to arrive at a mutually agreeable sales price. If
16 necessary, determination of fair market value may include the use of
17 separate independent appraisals by each party and the review of the
18 appraisals, as agreed upon by the parties. All conveyance documents
19 shall be executed by the governor. All proceeds from the disposal of
20 the property shall be paid into the park land acquisition account. No
21 disposal of real property may be made without the unanimous consent of
22 the ((~~commission~~)) department.

23 (2) Prior to the disposal of any real property under subsection (1)
24 of this section, the ((~~commission~~)) department shall hold a public
25 hearing on the proposal in the county where the real property, or the
26 greatest portion of the real property, is located. At least ten days,
27 but not more than twenty-five days, prior to the hearing, the
28 ((~~commission~~)) department shall publish a paid public notice of
29 reasonable size in display advertising form, setting forth the date,
30 time, and place of the hearing, at least once in one or more daily
31 newspapers of general circulation in the county and at least once in
32 one or more weekly newspapers circulated in the area where the real
33 property is located. A news release concerning the public hearing must
34 be disseminated among print and electronic media in the area where the
35 real property is located. The public notice and news release shall
36 also identify the real property involved in the proposed disposal and
37 describe the purpose of the proposed disposal. A summary of the

1 testimony presented at the public hearing shall be prepared for the
2 ((~~commission's~~)) department's consideration when reviewing the proposed
3 disposal of real property.

4 (3) If there is a failure to substantially comply with the
5 procedures set out under this section, then the agreement to dispose of
6 the real property is subject to being declared invalid by a court of
7 competent jurisdiction. Such a suit must be brought within one year of
8 the date of the real property disposal agreement.

9 **Sec. 55.** RCW 79A.05.180 and 1998 c 42 s 2 are each amended to read
10 as follows:

11 Before the director ((~~of parks and recreation presents a proposed~~))
12 proposes an exchange ((~~to the parks and recreation commission~~))
13 involving ((~~an exchange of~~)) state land pursuant to this chapter, the
14 director shall hold a public hearing on the proposal in the county
15 where the state lands or the greatest proportion thereof is located.
16 Ten days but not more than twenty-five days prior to such hearing, the
17 director shall publish a paid public notice of reasonable size in
18 display advertising form, setting forth the date, time, and place of
19 the hearing, at least once in one or more daily newspapers of general
20 circulation in the county and at least once in one or more weekly
21 newspapers circulated in the area where the state owned land is
22 located. A news release pertaining to the hearing shall be
23 disseminated among printed and electronic media in the area where the
24 state land is located. The public notice and news release also shall
25 identify lands involved in the proposed exchange and describe the
26 purposes of the exchange and proposed use of the lands involved. A
27 summary of the testimony presented at the hearings shall be prepared
28 for the ((~~commission's~~)) department's consideration when reviewing the
29 director's exchange proposal. If there is a failure to substantially
30 comply with the procedures set forth in this section, then the exchange
31 agreement shall be subject to being declared invalid by a court. Any
32 such suit must be brought within one year from the date of the exchange
33 agreement.

34 **Sec. 56.** RCW 79A.05.185 and 1999 c 249 s 904 are each amended to
35 read as follows:

36 To encourage the development of the Puget Sound country as a

1 recreational boating area, the ((~~commission~~)) department is authorized
2 to establish landing, launch ramp, and other facilities for small
3 pleasure boats at places on Puget Sound frequented by such boats and
4 where the ((~~commission~~)) department shall find such facilities will be
5 of greatest advantage to the users of pleasure boats. The
6 ((~~commission~~)) department is authorized to acquire land or to make use
7 of lands belonging to the state for such purposes, and to construct the
8 necessary floats, launch ramp, and other desirable structures and to
9 make such further development of any area used in connection therewith
10 as in the judgment of the ((~~commission~~)) department is best calculated
11 to facilitate the public enjoyment thereof.

12 **Sec. 57.** RCW 79A.05.190 and 1997 c 150 s 2 are each amended to
13 read as follows:

14 (1) By September 1, 1997, the ((~~commission~~)) department shall
15 increase the area available for use by recreational metal detectors by
16 at least two hundred acres.

17 (2) Beginning September 1, 1998, and each year thereafter until
18 August 31, 2003, the ((~~commission~~)) department shall increase the area
19 of land available for use by recreational metal detectors by at least
20 fifty acres.

21 **Sec. 58.** RCW 79A.05.195 and 1999 c 249 s 905 are each amended to
22 read as follows:

23 (1) The ((~~commission~~)) department shall develop a cost-effective
24 plan to identify historic archaeological resources in at least one
25 state park containing a military fort located in Puget Sound. The plan
26 shall include the use of a professional archaeologist and volunteer
27 citizens.

28 (2) Any park land that is made available for use by recreational
29 metal detectors under this section shall count toward the requirements
30 established in RCW 79A.05.190.

31 **Sec. 59.** RCW 79A.05.200 and 2000 c 11 s 32 are each amended to
32 read as follows:

33 The powers, functions, and duties heretofore exercised by the
34 department of fish and wildlife, or its director, respecting the
35 management, control, and operation of the following enumerated

1 tidelands, which are presently suitable for public recreational use,
2 are hereby transferred to the (~~parks and recreation commission~~)
3 department which shall also have respecting such tidelands all the
4 powers conferred by this chapter, as now or hereafter amended,
5 respecting parks and parkways:

6 Parcel No. 1. (Toandos Peninsula) The tidelands of the second
7 class, owned by the state of Washington, situate in front of, adjacent
8 to, or abutting upon lots 1, 2, and 3, section 5, lots 1, 2, and 3,
9 section 4, and lot 1, section 3, all in township 25 north, range 1
10 west, W.M., with a frontage of 158.41 lineal chains, more or less.

11 Parcel No. 2. (Shine) The tidelands of the second class, owned by
12 the state of Washington, situate in front of, adjacent to, or abutting
13 upon lots 1, 2, 3 and that portion of lot 4 lying north of the south
14 8.35 chains thereof as measured along the government meander line, all
15 in section 35, township 28 north, range 1 east, W.M., with a frontage
16 of 76.70 lineal chains, more or less.

17 Subject to an easement for right-of-way for county road granted to
18 Jefferson county December 8, 1941 under application No. 1731, records
19 of department of public lands.

20 Parcel No. 3. (Mud Bay - Lopez Island) The tidelands of the second
21 class, owned by the state of Washington situate in front of, adjacent
22 to, or abutting upon lots 5, 6 and 7, section 18, lot 5, section 7 and
23 lots 3, 4, and 5, section 8, all in township 34 north, range 1 west,
24 W.M., with a frontage of 172.11 lineal chains, more or less.

25 Excepting, however, any tideland of the second class in front of
26 said lot 3, section 8 conveyed through deeds issued April 14, 1909
27 pursuant to the provisions of chapter 24, Laws of 1895 under
28 application No. 4985, records of department of public lands.

29 Parcel No. 4. (Spencer Spit) The tidelands of the second class,
30 owned by the state of Washington, situate in front of, adjacent to, or
31 abutting upon lots 1, 3, and 4, section 7, and lot 5, section 18 all in
32 township 35 north, range 1 west, W.M., with a frontage of 118.80 lineal
33 chains, more or less.

34 Parcel No. 5. (Lilliwaup) The tidelands of the second class, owned
35 by the state of Washington, lying easterly of the east line of vacated
36 state oyster reserve plat No. 133 produced southerly and situate in
37 front of, adjacent to or abutting upon lot 9, section 30, lot 8,

1 section 19 and lot 5 and the south 20 acres of lot 4, section 20, all
2 in township 23 north, range 3 west, W.M., with a frontage of 62.46
3 lineal chains, more or less.

4 **Sec. 60.** RCW 79A.05.205 and 2000 c 11 s 33 are each amended to
5 read as follows:

6 The (~~state parks and recreation commission~~) department may take
7 appropriate action to provide public and private access, including
8 roads and docks, to and from the tidelands described in RCW 79A.05.200.

9 **Sec. 61.** RCW 79A.05.210 and 1999 c 249 s 906 are each amended to
10 read as follows:

11 (1) The department of natural resources and the (~~commission~~)
12 department shall have authority to negotiate sales to the
13 (~~commission~~) department, for park and outdoor recreation purposes, of
14 trust lands at fair market value.

15 (2) The department of natural resources and the (~~commission~~)
16 department shall negotiate a sale to the (~~commission~~) department of
17 the lands and timber thereon identified in the joint study under
18 section 4, chapter 163, Laws of 1985, and commonly referred to as the
19 Point Lawrence trust property, San Juan county – on the extreme east
20 point of Orcas Island. Timber conservation and management practices
21 provided for in RCW 79A.05.035 and 79A.05.305 shall govern the
22 management of land and timber transferred under this subsection as of
23 the effective date of the transfer, upon payment for the property, and
24 nothing in this chapter shall be construed as restricting or otherwise
25 modifying the department of natural resources' management, control, or
26 use of such land and timber until such date.

27 **Sec. 62.** RCW 79A.05.220 and 1987 c 466 s 3 are each amended to
28 read as follows:

29 The (~~parks and recreation commission~~) department and the
30 department of natural resources may periodically conduct a joint review
31 of trust lands managed by the department of natural resources to
32 identify those parcels which may be appropriate for transfer to the
33 (~~commission~~) department for public recreation purposes.

1 **Sec. 63.** RCW 79A.05.225 and 2011 c 320 s 25 and 2011 c 171 s 116
2 are each reenacted and amended to read as follows:

3 (1) In addition to its other powers, duties, and functions the
4 (~~commission~~) department may:

5 (a) Plan, construct, and maintain suitable facilities for winter
6 recreational activities on lands administered or acquired by the
7 (~~commission~~) department or as authorized on lands administered by
8 other public agencies or private landowners by agreement;

9 (b) Provide and issue upon payment of the proper fee, under RCW
10 79A.05.230, 79A.05.240, and 46.61.585, with the assistance of such
11 authorized agents as may be necessary for the convenience of the
12 public, special permits to park in designated winter recreational area
13 parking spaces;

14 (c) Administer the snow removal operations for all designated
15 winter recreational area parking spaces; and

16 (d) Compile, publish, and distribute maps indicating such parking
17 spaces, adjacent trails, and areas and facilities suitable for winter
18 recreational activities.

19 (2) The (~~commission~~) department must require the winter
20 recreation program and its services to be self-supported solely through
21 permit fees, gifts, grants, donations, and other revenues dedicated to
22 the winter recreational program account in RCW 79A.05.235 and the
23 snowmobile account in RCW (~~46.10.075~~) 46.68.350.

24 (3) The (~~commission~~) department may contract with any public or
25 private agency for the actual conduct of such duties, but shall remain
26 responsible for the proper administration thereof. The (~~commission~~)
27 department is not liable for unintentional injuries to users of lands
28 administered for winter recreation purposes under this section or under
29 RCW 46.10.370, whether the lands are administered by the (~~commission~~)
30 department, by other public agencies, or by private landowners through
31 agreement with the (~~commission~~) department. Nothing in this section
32 prevents the liability of the (~~commission~~) department for injuries
33 sustained by a user by reason of a known dangerous artificial latent
34 condition for which warning signs have not been conspicuously posted.
35 A road covered with snow and groomed for the purposes of winter
36 recreation consistent with this chapter and chapter 46.10 RCW shall not
37 be presumed to be a known dangerous artificial latent condition for the
38 purposes of this chapter.

1 **Sec. 64.** RCW 79A.05.230 and 1990 c 49 s 3 are each amended to read
2 as follows:

3 The fee for the issuance of special winter recreational area
4 parking permits shall be determined by the (~~commission~~) department
5 after consultation with the winter recreation advisory committee. If
6 the person making application therefor is also the owner of a
7 snowmobile registered pursuant to chapter 46.10 RCW, there shall be no
8 fee for the issuance of an annual permit. All special winter
9 recreational area parking permits shall commence and expire on the
10 dates established by the (~~commission~~) department.

11 **Sec. 65.** RCW 79A.05.240 and 1982 c 11 s 4 are each amended to read
12 as follows:

13 The (~~commission~~) department may, after consultation with the
14 winter recreation advisory committee, adopt rules (~~and regulations~~)
15 prohibiting or restricting overnight parking at any special state
16 winter recreational parking areas owned or administered by it. Where
17 such special state winter recreational parking areas are administered
18 by the (~~commission~~) department pursuant to an agreement with other
19 public agencies, such agreement may provide for prohibition or
20 restriction of overnight parking.

21 **Sec. 66.** RCW 79A.05.250 and 2000 c 11 s 34 are each amended to
22 read as follows:

23 The (~~commission~~) department may adopt such rules as are necessary
24 to implement and enforce RCW 79A.05.225 through 79A.05.240 and
25 46.61.585 after consultation with the winter recreation advisory
26 committee.

27 **Sec. 67.** RCW 79A.05.255 and 2000 c 48 s 1 and 2000 c 11 s 35 are
28 each reenacted and amended to read as follows:

29 (1) There is created a winter recreation advisory committee to
30 advise the (~~parks and recreation commission~~) department in the
31 administration of this chapter and to assist and advise the
32 (~~commission~~) department in the development of winter recreation
33 facilities and programs.

34 (2) The committee shall consist of:

1 (a) Six representatives of the nonsnowmobiling winter recreation
2 public appointed by the ((~~commission~~)) director, including a resident
3 of each of the six geographical areas of this state where
4 nonsnowmobiling winter recreation activity occurs, as defined by the
5 ((~~commission~~)) department.

6 (b) Three representatives of the snowmobiling public appointed by
7 the ((~~commission~~)) director.

8 (c) One representative of the department of natural resources, one
9 representative of the department of fish and wildlife, and one
10 representative of the Washington state association of counties, each of
11 whom shall be appointed by the director of the particular department or
12 association.

13 (3) The terms of the members appointed under subsection (2)(a) and
14 (b) of this section shall begin on October 1st of the year of
15 appointment and shall be for three years or until a successor is
16 appointed, except in the case of appointments to fill vacancies for the
17 remainder of the unexpired term: PROVIDED, That the first of these
18 members shall be appointed for terms as follows: Three members shall
19 be appointed for one year, three members shall be appointed for two
20 years, and three members shall be appointed for three years.

21 (4) Members of the committee shall be reimbursed from the winter
22 recreational program account created by RCW 79A.05.235 for travel
23 expenses as provided in RCW 43.03.050 and 43.03.060.

24 (5) The committee shall meet at times and places it determines not
25 less than twice each year and additionally as required by the committee
26 chair or by majority vote of the committee. The chair of the committee
27 shall be chosen under procedures adopted by the committee. The
28 committee shall adopt any other procedures necessary to govern its
29 proceedings.

30 (6) The director of parks and recreation or the director's designee
31 shall serve as secretary to the committee and shall be a nonvoting
32 member.

33 **Sec. 68.** RCW 79A.05.280 and 1977 ex.s. c 281 s 4 are each amended
34 to read as follows:

35 The ((~~parks and recreation commission~~)) department is authorized to
36 accept grants or moneys from any federal or private source for support
37 of hostels. The ((~~commission~~)) department at its discretion is

1 directed to apportion and transfer any such moneys to contracting
2 agencies or political subdivisions which operate hostels: PROVIDED,
3 That the ((~~commission~~)) department shall establish rules and
4 regulations for the operation of hostels which are substantially
5 similar to the operating standards and customs established by the
6 American Youth Hostels Incorporated.

7 **Sec. 69.** RCW 79A.05.285 and 1999 c 249 s 907 are each amended to
8 read as follows:

9 The ((~~commission~~)) department is authorized to evaluate and acquire
10 land under RCW ((~~79.01.612~~)) 79.10.030 in cooperation with the
11 department of natural resources.

12 **Sec. 70.** RCW 79A.05.290 and 1999 c 249 s 908 are each amended to
13 read as follows:

14 The ((~~commission~~)) department may select land held by the
15 department of natural resources for acquisition under RCW 79A.50.010 et
16 seq.

17 **Sec. 71.** RCW 79A.05.300 and 2000 c 11 s 37 are each amended to
18 read as follows:

19 For the reasons specified in RCW 79A.25.250, the ((~~state parks and~~
20 ~~recreation commission~~)) department shall place a high priority on the
21 establishment of urban area state parks and shall revise its plan for
22 future state parks to achieve this priority. This section shall be
23 implemented by January 1, 1981.

24 **Sec. 72.** RCW 79A.05.310 and 1998 c 245 s 66 are each amended to
25 read as follows:

26 The ((~~state parks and recreation commission~~)) department shall:

27 (1) Coordinate a statewide program of boating safety education
28 using to the maximum extent possible existing programs offered by the
29 United States power squadron and the United States coast guard
30 auxiliary;

31 (2) Adopt rules in accordance with chapter 34.05 RCW, consistent
32 with United States coast guard regulations, standards, and precedents,
33 as needed for the efficient administration and enforcement of this
34 section;

1 (3) Enter into agreements aiding the administration of this
2 chapter;

3 (4) Adopt and administer a casualty and accident reporting program
4 consistent with United States coast guard regulations;

5 (5) Adopt and enforce recreational boating safety rules, including
6 but not necessarily limited to equipment and navigating requirements,
7 consistent with United States coast guard regulations;

8 (6) Coordinate with local and state agencies the development of
9 biennial plans and programs for the enhancement of boating safety,
10 safety education, and enforcement of safety rules and laws; allocate
11 money appropriated to the ((~~commission~~)) department for these programs
12 as necessary; and accept and administer any public or private grants or
13 federal funds which are obtained for these purposes under chapter 43.88
14 RCW; and

15 (7) Take additional actions necessary to gain acceptance of a
16 program of boating safety for this state under the federal boating
17 safety act of 1971.

18 **Sec. 73.** RCW 79A.05.315 and 1989 c 129 s 1 are each amended to
19 read as follows:

20 Management control of the portion of the Milwaukee Road corridor,
21 beginning at the western terminus near Easton and concluding at the
22 west end of the bridge structure over the Columbia river, which point
23 is located in section 34, township 16 north, range 23 east, W.M.,
24 inclusive of the northerly spur line therefrom, shall be transferred by
25 the department of natural resources to the ((~~state parks and recreation~~
26 ~~commission~~)) department at no cost to the ((~~commission~~)) department.

27 **Sec. 74.** RCW 79A.05.320 and 2000 c 11 s 39 are each amended to
28 read as follows:

29 The ((~~state parks and recreation commission~~)) department shall do
30 the following with respect to the portion of the Milwaukee Road
31 corridor under its control:

32 (1) Manage the corridor as a recreational trail except when closed
33 under RCW 79A.05.325;

34 (2) Close the corridor to hunting;

35 (3) Close the corridor to all motorized vehicles except: (a)

1 Emergency or law enforcement vehicles; (b) vehicles necessary for
2 access to utility lines; and (c) vehicles necessary for maintenance of
3 the corridor, or construction of the trail;

4 (4) Comply with legally enforceable conditions contained in the
5 deeds for the corridor;

6 (5) Control weeds under the applicable provisions of chapters
7 17.04, 17.06, and 17.10 RCW; and

8 (6) Clean and maintain culverts.

9 **Sec. 75.** RCW 79A.05.325 and 1989 c 129 s 3 are each amended to
10 read as follows:

11 The (~~state parks and recreation commission~~) department may do the
12 following with respect to the portion of the Milwaukee Road corridor
13 under its control:

14 (1) Enter into agreements to allow the realignment or modification
15 of public roads, farm crossings, water conveyance facilities, and other
16 utility crossings;

17 (2) Regulate activities and restrict uses, including, but not
18 limited to, closing portions of the corridor to reduce fire danger or
19 protect public safety;

20 (3) Place hazard warning signs and close hazardous structures;

21 (4) Renegotiate deed restrictions upon agreement with affected
22 parties; and

23 (5) Approve and process the sale or exchange of lands or easements
24 if such a sale or exchange will not adversely affect the recreational
25 potential of the corridor; and

26 (6) Manage the portion of the Milwaukee Road corridor lying between
27 the eastern corporate limits of the city of Kittitas and the eastern
28 end of the corridor under (~~commission~~) department control for
29 recreational access limited to holders of permits issued by the
30 (~~commission~~) department. The (~~commission~~) department shall, for
31 the purpose of issuing permits for corridor use, adopt rules necessary
32 for the orderly and safe use of the corridor and the protection of
33 adjoining landowners, which may include restrictions on the total
34 numbers of permits issued, numbers in a permitted group, and periods
35 during which the corridor is available for permitted users. The
36 (~~commission~~) department may increase recreational management of this

1 portion of the corridor and eliminate the permit system as it
2 determines in its discretion based upon available funding and other
3 resources.

4 **Sec. 76.** RCW 79A.05.330 and 1984 c 174 s 5 are each amended to
5 read as follows:

6 The (~~state parks and recreation commission~~) department shall
7 identify opportunities and encourage volunteer work, private
8 contributions, and support from tax-exempt foundations to develop,
9 operate, and maintain the recreation trail on the portion of the
10 Milwaukee Road under its control.

11 **Sec. 77.** RCW 79A.05.335 and 1991 c 107 s 1 are each amended to
12 read as follows:

13 The legislature finds that the lands owned and managed by the
14 (~~state parks and recreation commission~~) department are a significant
15 collection of valuable natural, historical, and cultural resources for
16 the citizens of Washington state. The legislature further finds that
17 if citizens understand and appreciate the state park ecological
18 resources, they will come to appreciate and understand the ecosystems
19 and natural resources throughout the state. Therefore, the (~~state
20 parks and recreation commission~~) department may increase the use of
21 its facilities and resources to provide environmental interpretation
22 throughout the state parks system.

23 **Sec. 78.** RCW 79A.05.340 and 1991 c 107 s 2 are each amended to
24 read as follows:

25 The (~~state parks and recreation commission~~) department may
26 provide environmental interpretative activities for visitors to state
27 parks that:

28 (1) Explain the functions, history, and cultural aspects of
29 ecosystems;

30 (2) Explain the relationship between human needs, human behaviors
31 and attitudes, and the environment; and

32 (3) Offer experiences and information to increase citizen
33 appreciation and stewardship of the environment and its multiple uses.

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

3 The (~~state parks and recreation commission~~) department may
4 consult and enter into agreements with and solicit assistance from
5 private sector organizations and other governmental agencies that are
6 interested in conserving and interpreting Washington's environment.
7 The (~~commission~~) department shall not permit commercial advertising
8 in state park lands or interpretive centers as a condition of such
9 agreements. Logos or credit lines for sponsoring organizations may be
10 permitted. The (~~commission~~) department shall maintain an accounting
11 of all monetary gifts provided, and expenditures of monetary gifts
12 shall not be used to increase personnel.

13 **Sec. 80.** RCW 79A.05.351 and 2007 c 176 s 2 are each amended to
14 read as follows:

15 (1) The outdoor education and recreation grant program is hereby
16 created, subject to the availability of funds in the outdoor education
17 and recreation account. The (~~commission~~) department shall establish
18 and implement the program by rule to provide opportunities for public
19 agencies, private nonprofit organizations, formal school programs,
20 nonformal after-school programs, and community-based programs to
21 receive grants from the account. Programs that provide outdoor
22 education opportunities to schools shall be fully aligned with the
23 state's essential academic learning requirements.

24 (2) The program shall be phased in beginning with the schools and
25 students with the greatest needs in suburban, rural, and urban areas of
26 the state. The program shall focus on students who qualify for free
27 and reduced-price lunch, who are most likely to fail academically, or
28 who have the greatest potential to drop out of school.

29 (3) The director shall set priorities and develop criteria for the
30 awarding of grants to outdoor environmental, ecological, agricultural,
31 or other natural resource-based education and recreation programs
32 considering at least the following:

33 (a) Programs that contribute to the reduction of academic failure
34 and dropout rates;

35 (b) Programs that make use of research-based, effective
36 environmental, ecological, agricultural, or other natural resource-
37 based education curriculum;

1 (c) Programs that contribute to healthy life styles through outdoor
2 recreation and sound nutrition;

3 (d) Various Washington state parks as venues and use of the
4 ((~~commission's~~)) department's personnel as a resource;

5 (e) Programs that maximize the number of participants that can be
6 served;

7 (f) Programs that will commit matching and in-kind resources;

8 (g) Programs that create partnerships with public and private
9 entities;

10 (h) Programs that provide students with opportunities to directly
11 experience and understand nature and the natural world; and

12 (i) Programs that include ongoing program evaluation, assessment,
13 and reporting of their effectiveness.

14 (4) The director shall create an advisory committee to assist and
15 advise the ((~~commission~~)) director in the development and
16 administration of the outdoor education and recreation program. The
17 director should solicit representation on the committee from the office
18 of the superintendent of public instruction, the department of fish and
19 wildlife, the business community, outdoor organizations with an
20 interest in education, and any others the ((~~commission~~)) department
21 deems sufficient to ensure a cross section of stakeholders. When the
22 director creates such an advisory committee, its members shall be
23 reimbursed from the outdoor education and recreation program account
24 for travel expenses as provided in RCW 43.03.050 and 43.03.060.

25 (5) The outdoor education and recreation program account is created
26 in the custody of the state treasurer. Funds deposited in the outdoor
27 education and recreation program account shall be transferred only to
28 the ((~~commission~~)) department to be used solely for the
29 ((~~commission's~~)) department's outdoor education and recreation program
30 purposes identified in this section including the administration of the
31 program. The director may accept gifts, grants, donations, or moneys
32 from any source for deposit in the outdoor education and recreation
33 program account. Any public agency in this state may develop and
34 implement outdoor education and recreation programs. The director may
35 make grants to public agencies and contract with any public or private
36 agency or person to develop and implement outdoor education and
37 recreation programs. The outdoor education and recreation program

1 account is subject to allotment procedures under chapter 43.88 RCW, but
2 an appropriation is not required for expenditures.

3 **Sec. 81.** RCW 79A.05.355 and 1993 c 267 s 1 are each amended to
4 read as follows:

5 The (~~state parks and recreation commission~~) department shall act
6 as the lead agency for the establishment of underwater parks in state
7 waters and for environmental reviews of projects necessary to establish
8 underwater parks. The (~~commission~~) department may enter into
9 interagency agreements to facilitate timely receipt of necessary
10 permits from other state agencies and local governments.

11 **Sec. 82.** RCW 79A.05.360 and 1999 c 249 s 1301 are each amended to
12 read as follows:

13 The (~~commission~~) department may establish a system of underwater
14 parks to provide for diverse recreational diving opportunities and to
15 conserve and protect unique marine resources of the state of
16 Washington. In establishing and maintaining an underwater park system,
17 the (~~commission~~) department may:

- 18 (1) Plan, construct, and maintain underwater parks;
- 19 (2) Acquire property and enter management agreements with other
20 units of state government for the management of lands, tidelands, and
21 bedlands as underwater parks;
- 22 (3) Construct artificial reefs and other underwater features to
23 enhance marine life and recreational uses of an underwater park;
- 24 (4) Accept gifts and donations for the benefit of underwater parks;
- 25 (5) Facilitate private efforts to construct artificial reefs and
26 underwater parks;
- 27 (6) Work with the federal government, local governments and other
28 appropriate agencies of state government, including but not limited to:
29 The department of natural resources, the department of fish and
30 wildlife and the natural heritage council to carry out the purposes of
31 this chapter; and
- 32 (7) Contract with other state agencies or local governments for the
33 management of an underwater park unit.

34 **Sec. 83.** RCW 79A.05.370 and 1993 c 267 s 4 are each amended to
35 read as follows:

1 In establishing an underwater park system, the ((~~commission~~))
2 department shall seek to create diverse recreational opportunities in
3 areas throughout Washington state. The ((~~commission~~)) department shall
4 place a high priority upon creating units that possess unique or
5 diverse marine life or underwater natural or artificial features such
6 as shipwrecks.

7 **Sec. 84.** RCW 79A.05.375 and 1993 c 267 s 5 are each amended to
8 read as follows:

9 The ((~~commission~~)) department is not liable for unintentional
10 injuries to users of underwater parks, whether the facilities are
11 administered by the ((~~commission~~)) department or by another entity or
12 person. However, nothing in this section prevents the liability of the
13 ((~~commission~~)) department for injuries sustained by a user by reason of
14 a known dangerous artificial latent condition for which warning signs
15 have not been conspicuously posted.

16 **Sec. 85.** RCW 79A.05.380 and 2003 c 338 s 1 are each amended to
17 read as follows:

18 The legislature recognizes the increase in water-oriented
19 recreation by users of human and wind-powered, beachable vessels such
20 as kayaks, canoes, or day sailors on Washington's waters. These
21 recreationists frequently require overnight camping facilities along
22 the shores of public or private beaches. The legislature now creates
23 a water trail recreation program, to be administered by the
24 ((~~Washington state parks and recreation commission~~)) department. The
25 legislature recognizes that the effort to develop water trail sites is
26 a continuing need and that the ((~~commission~~)) department provides
27 beneficial expertise and consultation to water trail user groups,
28 agencies, and private landowners for the existing Cascadia marine trail
29 and Willapa Bay water trail.

30 **Sec. 86.** RCW 79A.05.385 and 2003 c 338 s 2 and 2003 c 126 s 601
31 are each reenacted and amended to read as follows:

32 In addition to its other powers, duties, and functions, the
33 ((~~commission~~)) department may:

34 (1) Plan, construct, and maintain suitable facilities for water

1 trail activities on lands administered or acquired by the
2 (~~commission~~) department or as authorized on lands administered by
3 tribes or other public agencies or private landowners by agreement.

4 (2) Compile, publish, distribute, and charge a fee for maps or
5 other forms of public information indicating areas and facilities
6 suitable for water trail activities.

7 (3) Contract with a public agency, private entity, or person for
8 the actual conduct of these duties.

9 (4) Work with individuals or organizations who wish to volunteer
10 their time to support the water trail recreation program.

11 (5) Provide expertise and consultation to individuals, agencies,
12 and organizations in the continued development of water trail sites in
13 this state.

14 **Sec. 87.** RCW 79A.05.390 and 1993 c 182 s 3 are each amended to
15 read as follows:

16 The (~~commission~~) department may make water trail program grants
17 to public agencies or tribal governments and may contract with any
18 public agency, tribal government, entity, or person to develop and
19 implement water trail programs.

20 **Sec. 88.** RCW 79A.05.395 and 1993 c 182 s 4 are each amended to
21 read as follows:

22 The (~~commission~~) department is not liable for unintentional
23 injuries to users of facilities administered for water trail purposes
24 under this chapter, whether the facilities are administered by the
25 (~~commission~~) department or by any other entity or person. However,
26 nothing in this section prevents the liability of the (~~commission~~)
27 department for injuries sustained by a user by reason of a known
28 dangerous artificial latent condition for which warning signs have not
29 been conspicuously posted.

30 **Sec. 89.** RCW 79A.05.410 and 2003 c 338 s 3 are each amended to
31 read as follows:

32 The (~~commission~~) department may adopt rules to administer the
33 water trail program and facilities on areas owned or administered by
34 the (~~commission~~) department. Where water trail facilities
35 administered by other public or private entities are incorporated into

1 the water trail system, the rules adopted by those entities shall
2 prevail. The ((~~commission~~)) department is not responsible or liable
3 for enforcement of these alternative rules.

4 **Sec. 90.** RCW 79A.05.415 and 1993 c 182 s 8 are each amended to
5 read as follows:

6 Violation of the provisions of the ((~~commission's~~)) department's
7 rules governing the use of water trail facilities and property shall
8 constitute a civil infraction, punishable as provided under chapter
9 7.84 RCW.

10 **Sec. 91.** RCW 79A.05.545 and 2011 c 20 s 14 are each amended to
11 read as follows:

12 The ((~~commission~~)) department shall cooperate, when appropriate, as
13 a partner in the Washington conservation corps established in chapter
14 43.220 RCW.

15 **Sec. 92.** RCW 79A.05.610 and 2000 c 11 s 46 are each amended to
16 read as follows:

17 Except as otherwise provided in RCW 79A.05.600 through 79A.05.630,
18 the Washington State Seashore Conservation Area shall be under the
19 jurisdiction of the ((~~Washington state parks and recreation~~
20 ~~commission~~)) department, which shall administer RCW 79A.05.600 through
21 79A.05.630 in accordance with the powers granted it herein and under
22 the appropriate provisions of this chapter.

23 **Sec. 93.** RCW 79A.05.615 and 2000 c 11 s 47 are each amended to
24 read as follows:

25 The ((~~Washington state parks and recreation commission~~)) department
26 shall administer the Washington State Seashore Conservation Area in
27 harmony with the broad principles set forth in RCW 79A.05.600. Where
28 feasible, the area shall be preserved in its present state; everywhere
29 it shall be maintained in the best possible condition for public use.
30 All forms of public outdoor recreation shall be permitted and
31 encouraged in the area, unless specifically excluded or limited by the
32 ((~~commission~~)) department. While the primary purpose in the
33 establishment of the area is to preserve the coastal beaches for public
34 recreation, other uses shall be allowed as provided in RCW 79A.05.600

1 through 79A.05.630, or when found not inconsistent with public
2 recreational use by the ((~~Washington state parks and recreation~~
3 ~~commission~~)) department.

4 **Sec. 94.** RCW 79A.05.620 and 2000 c 11 s 48 are each amended to
5 read as follows:

6 In administering the Washington State Seashore Conservation Area,
7 the ((~~Washington state parks and recreation commission~~)) department
8 shall seek the cooperation and assistance of federal agencies, other
9 state agencies, and local political subdivisions. All state agencies,
10 and the governing officials of each local subdivision shall cooperate
11 with the ((~~commission~~)) department in carrying out its duties. Except
12 as otherwise provided in RCW 79A.05.600 through 79A.05.630, and
13 notwithstanding any other provision of law, other state agencies and
14 local subdivisions shall perform duties in the Washington State
15 Seashore Conservation Area which are within their normal jurisdiction,
16 except when such performance clearly conflicts with the purposes of RCW
17 79A.05.600 through 79A.05.630.

18 **Sec. 95.** RCW 79A.05.630 and 2011 c 184 s 1 are each amended to
19 read as follows:

20 Lands within the Seashore Conservation Area shall not be sold,
21 leased, or otherwise disposed of, except as provided in this section.

22 (1) The ((~~commission~~)) department may, under authority granted in
23 RCW 79A.05.175 and 79A.05.180, exchange state park lands in the
24 Seashore Conservation Area for lands of equal value to be managed by
25 the ((~~commission~~)) department consistent with this chapter. Only state
26 park lands lying east of the Seashore Conservation Line, as it is
27 located at the time of exchange, may be so exchanged.

28 (2) The ((~~commission~~)) department may, under authority granted in
29 RCW 79A.05.178, directly dispose of up to five contiguous acres of real
30 property, without public auction, to resolve trespass, property
31 ownership disputes, and boundary adjustments with adjacent property
32 owners. Real property to be disposed of under this subsection may be
33 disposed of only after appraisal and for at least fair market value,
34 and only if the transaction is in the best interest of the state. All
35 conveyance documents shall be executed by the governor. All proceeds
36 from the disposal of the property shall be paid into the parkland

1 acquisition account and proceeds received pursuant to any sale under
2 this subsection shall be reinvested in real property located inside or
3 within one mile of the Seashore Conservation Area.

4 (3) The department of natural resources may lease the lands within
5 the Washington State Seashore Conservation Area as well as the accreted
6 lands along the ocean in state ownership for the exploration and
7 production of oil and gas except that oil drilling rigs and equipment
8 shall not be placed on the Seashore Conservation Area or state-owned
9 accreted lands.

10 Sale of sand from accretions shall be made to supply the needs of
11 cranberry growers for cranberry bogs in the vicinity and shall not be
12 prohibited if found by the (~~commission~~) department to be reasonable,
13 and not generally harmful or destructive to the character of the land.
14 The (~~commission~~) department may grant leases and permits for the
15 removal of sands for construction purposes from any lands within the
16 Seashore Conservation Area if found by the (~~commission~~) department to
17 be reasonable and not generally harmful or destructive to the character
18 of the land. Net income from such leases shall be deposited in the
19 state parks renewal and stewardship account.

20 **Sec. 96.** RCW 79A.05.650 and 2000 c 11 s 54 are each amended to
21 read as follows:

22 (1) Except as provided in RCW 79A.05.655 and 79A.05.660, a total of
23 forty percent of the length of the beach subject to the recreation
24 management plan shall be reserved for pedestrian use under this section
25 and RCW 79A.05.665. Restrictions on motorized traffic under this
26 section shall be from April 15th to the day following Labor day of each
27 year. Local jurisdictions may adopt provisions within recreation
28 management plans that exceed the requirements of this section. The
29 (~~commission~~) department shall not require that a plan designate for
30 pedestrian use more than forty percent of the land subject to the plan.

31 (2) In designating areas to be reserved for pedestrian use, the
32 plan shall consider the following:

33 (a) Public safety;

34 (b) Statewide interest in recreational use of the ocean beaches;

35 (c) Protection of shorebird and marine mammal habitats;

36 (d) Preservation of native beach vegetation;

37 (e) Protection of sand dune topography;

- 1 (f) Prudent management of clam beds;
- 2 (g) Economic impacts to the local community; and
- 3 (h) Public access and parking availability.

4 **Sec. 97.** RCW 79A.05.665 and 2000 c 11 s 56 are each amended to
5 read as follows:

6 Recreation management plans shall, upon request of the
7 ((~~commission~~)) department, reserve on a permanent, seasonal, or
8 temporary basis, land adjoining national wildlife refuges and state
9 parks for pedestrian use. After a plan is approved, the ((~~commission~~))
10 department may require local jurisdictions to adopt amendments to the
11 plan governing driving on land adjoining wildlife refuges and state
12 parks. Land reserved for pedestrian use under this section for at
13 least the period from April 15th through the day following Labor Day of
14 each year shall be included when determining compliance with the
15 requirements of RCW 79A.05.650.

16 **Sec. 98.** RCW 79A.05.670 and 1999 c 249 s 1102 are each amended to
17 read as follows:

18 In preparing, adopting, or approving a recreation management plan,
19 local jurisdictions and the ((~~commission~~)) department shall consult
20 with the department of fish and wildlife and the United States fish and
21 wildlife service.

22 **Sec. 99.** RCW 79A.05.685 and 2000 c 11 s 57 are each amended to
23 read as follows:

24 Recreation management plans shall be adopted by each participating
25 jurisdiction and submitted to the ((~~commission~~)) department by
26 September 1, 1989. The ((~~commission~~)) department shall approve the
27 proposed plan if, in the ((~~commission's~~)) department's judgment, the
28 plan adequately fulfills the requirements of RCW 79A.05.600 through
29 79A.05.695.

30 If the proposed plan is not approved, the ((~~commission~~)) department
31 shall suggest modifications to the participating local governments.
32 Local governments shall have ninety days after receiving the suggested
33 modifications to resubmit a recreation management plan. Thereafter, if
34 the ((~~commission~~)) department finds that a plan does not adequately

1 fulfill the requirements of RCW 79A.05.600 through 79A.05.695, the
2 ((~~commission~~)) department may amend the proposal or adopt an
3 alternative plan.

4 If a plan for all or any portion of the Seashore Conservation Area
5 is not submitted in accordance with RCW 79A.05.635 through 79A.05.695,
6 the ((~~commission~~)) department shall adopt a recreation management plan
7 for that site.

8 Administrative rules adopted by the ((~~commission~~)) department under
9 RCW 43.51.680 shall remain in effect for all or any portion of each
10 ocean beach until a recreation management plan for that site is adopted
11 or approved by the ((~~commission~~)) department.

12 The ((~~commission~~)) department shall not adopt a recreation
13 management plan for all or any portion of an ocean beach while appeal
14 of a ((~~commission~~)) department decision regarding that site is pending.

15 **Sec. 100.** RCW 79A.05.688 and 1999 c 249 s 1103 are each amended to
16 read as follows:

17 Any individual, partnership, corporation, association,
18 organization, cooperative, local government, or state agency aggrieved
19 by a decision of the ((~~commission~~)) department under this chapter may
20 appeal under chapter 34.05 RCW.

21 **Sec. 101.** RCW 79A.05.690 and 1988 c 75 s 13 are each amended to
22 read as follows:

23 The ((~~commission~~)) department shall cooperate with state and local
24 law enforcement agencies in meeting the need for law enforcement within
25 the Seashore Conservation Area.

26 **Sec. 102.** RCW 79A.05.695 and 2000 c 11 s 59 are each amended to
27 read as follows:

28 Amendments to the recreation management plan may be adopted jointly
29 by each local government participating in the plan and submitted to the
30 ((~~commission~~)) department for approval. The ((~~commission~~)) department
31 shall approve a proposed amendment if, in the ((~~commission's~~))
32 department's judgment, the amendment adequately fulfills the
33 requirements of RCW 79A.05.600 through 79A.05.695.

34 After a plan is approved, the ((~~commission~~)) department may require
35 local jurisdictions to adopt amendments to the plan if the

1 ((~~commission~~)) department finds that such amendments are necessary to
2 protect public health and safety, or to protect significant natural
3 resources as determined by the agency having jurisdiction over the
4 resource.

5 **Sec. 103.** RCW 79A.05.705 and 1969 ex.s. c 162 s 2 are each amended
6 to read as follows:

7 There is hereby created a Washington state parks and recreation
8 ((~~commission~~)) department conservation area to be known as "Green River
9 Gorge conservation area."

10 **Sec. 104.** RCW 79A.05.710 and 1969 ex.s. c 162 s 3 are each amended
11 to read as follows:

12 In addition to all other powers and duties prescribed by law, the
13 ((~~state parks and recreation commission~~)) department is authorized and
14 directed to acquire such real property, easements, or rights in the
15 Green River Gorge in King county, together with such real property,
16 easements, and rights as is necessary for such park and conservation
17 purposes in any manner authorized by law for the acquisition of lands
18 for parks and parkway purposes. Except for such real property as is
19 necessary and convenient for development of picnicking or camping areas
20 and their related facilities, it is the intent of this section that
21 such property shall be acquired to preserve, as much as possible, the
22 gorge within the canyon rim in its natural pristine state.

23 **Sec. 105.** RCW 79A.05.715 and 1969 ex.s. c 162 s 4 are each amended
24 to read as follows:

25 Nothing herein shall be construed as authorizing or directing the
26 ((~~state parks and recreation commission~~)) department to acquire any
27 real property, easements, or rights in the Green River Gorge in King
28 county which are now held by any state agency for the purposes of
29 outdoor recreation, conservation, fish, or wildlife management or
30 public hunting or fishing without the approval of such agency.

31 **Sec. 106.** RCW 79A.05.735 and 2000 c 11 s 60 are each amended to
32 read as follows:

33 The state department of natural resources and the ((~~state parks and~~
34 ~~recreation commission~~)) department have joined together in excellent

1 cooperation in the conducting of this study along with the citizen
2 advisory subcommittee and have joined together in cooperation with the
3 department of fish and wildlife to accomplish other projects of
4 multidisciplinary concern, and because it may be in the best interests
5 of the state to continue such cooperation, the state parks and
6 recreation (~~commission~~) department, the department of natural
7 resources, and the department of fish and wildlife are hereby directed
8 to consider both short and long term objectives, the expertise of each
9 agency's staff, and alternatives such as reasonably may be expected to
10 safeguard the conservation area's values as described in RCW 79A.05.725
11 giving due regard to efficiency and economy of management: PROVIDED,
12 That the interests conveyed to or by the state agencies identified in
13 this section shall be managed by the department of natural resources
14 until such time as the (~~state parks and recreation commission~~)
15 department or other public agency is managing public recreation areas
16 and facilities located in such close proximity to the conservation area
17 described in RCW 79A.05.730 so as to make combined management of those
18 areas and facilities and transfer of management of the conservation
19 area more efficient and economical than continued management by the
20 department of natural resources. At that time the department of
21 natural resources is directed to negotiate with the appropriate public
22 agency for the transfer of those management responsibilities for the
23 interests obtained within the conservation area under RCW 79A.05.725
24 through 79A.05.745: PROVIDED FURTHER, That the state agencies
25 identified in this section may, by mutual agreement, undertake
26 management of portions of the conservation area as they may from time
27 to time determine in accordance with those rules and regulations
28 established for natural area preserves under chapter 79.70 RCW, for
29 natural and conservation areas under present WAC 352-16-020(3) and (6),
30 and under chapter 77.12 RCW.

31 **Sec. 107.** RCW 79A.05.780 and 2000 c 11 s 63 are each amended to
32 read as follows:

33 The (~~Washington state parks and recreation commission~~) department
34 is directed to consult with the Yakima county commissioners in the
35 acquisition, development, and operation of the Yakima river
36 conservation area in accordance with the purposes of RCW 79A.05.750

1 through 79A.05.795 and the Yakima river study authorized in section
2 170, chapter 269, Laws of 1975, first extraordinary session.

3 NEW SECTION. **Sec. 108.** Sections 1 through 9 of this act are each
4 added to chapter 79A.80 RCW.

5 NEW SECTION. **Sec. 109.** The following acts or parts of acts are
6 each repealed:

- 7 (1) RCW 79A.80.010 (Definitions) and 2011 c 320 s 2;
- 8 (2) RCW 79A.80.020 (Discover pass) and 2011 c 320 s 3;
- 9 (3) RCW 79A.80.030 (Day-use permit) and 2011 c 320 s 4;
- 10 (4) RCW 79A.80.040 (Vehicle access pass) and 2011 c 320 s 5;
- 11 (5) RCW 79A.80.050 (Valid camper registration/annual natural
12 investment permit--Commission may provide free entry to state parks)
13 and 2011 c 320 s 6;
- 14 (6) RCW 79A.80.060 (Sno-park seasonal permit) and 2011 c 320 s 7;
- 15 (7) RCW 79A.80.070 (Short-term parking) and 2011 c 320 s 8;
- 16 (8) RCW 79A.80.080 (Pass/permit requirements--Penalty) and 2011 c
17 320 s 9;
- 18 (9) RCW 79A.80.090 (Recreation access pass account) and 2011 c 320
19 s 10;
- 20 (10) RCW 79A.05.015 (Commission created--Composition--Compensation
21 and expenses) and 1999 c 249 s 201, 1984 c 287 s 82, 1975-'76 2nd ex.s.
22 c 34 s 116, 1969 ex.s. c 31 s 1, 1965 ex.s. c 132 s 1, & 1965 c 8 s
23 43.51.020;
- 24 (11) RCW 79A.05.025 (Chair--Meetings--Quorum) and 1999 c 249 s 202
25 & 1965 c 8 s 43.51.030; and
- 26 (12) RCW 79A.05.075 (Delegation of commission's powers and duties
27 to director) and 1999 c 249 s 306 & 1969 ex.s. c 31 s 2.

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