

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 6034**

Chapter 86, Laws of 2014

63rd Legislature  
2014 Regular Session

STATE PARKS--PARTNERSHIP OPPORTUNITIES

EFFECTIVE DATE: 06/12/14

Passed by the Senate March 11, 2014  
YEAS 47 NAYS 2

BRAD OWEN

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**President of the Senate**

Passed by the House March 7, 2014  
YEAS 79 NAYS 18

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved March 27, 2014, 10:35 a.m.

JAY INSLEE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 6034** as passed by the Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

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**Secretary**

FILED

March 27, 2014

**Secretary of State  
State of Washington**

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ENGROSSED SENATE BILL 6034

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AS AMENDED BY THE HOUSE

Passed Legislature - 2014 Regular Session

**State of Washington**                      **63rd Legislature**                      **2014 Regular Session**

**By** Senators Pearson, Hargrove, McCoy, Mullet, and McAuliffe; by request of Parks and Recreation Commission

Read first time 01/14/14. Referred to Committee on Natural Resources & Parks.

1            AN ACT Relating to state parks partnership opportunities; amending  
2 RCW 79A.05.335, 79A.05.340, 79A.05.345, 79A.70.010, 79A.70.020,  
3 79A.70.030, and 79A.70.040; and adding new sections to chapter 79A.05  
4 RCW.

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

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

8            The legislature finds that the parks and recreation lands owned and  
9 managed by the (~~state-parks-and-recreation~~) commission are a  
10 significant collection of valuable scenic, natural, cultural, and  
11 historical(~~,and-cultural~~) resources for the citizens of Washington  
12 state. The legislature further finds that if citizens understand and  
13 appreciate the (~~state-park-ecological-resources,they-will-come-to~~  
14 ~~appreciate-and-understand-the-ecosystems-and-natural-resources~~  
15 ~~throughout-the-state~~) scenic, natural, cultural, and historical  
16 resources present in Washington's state parks, they will be inspired to  
17 conserve this important legacy for future generations. Therefore, the  
18 (~~state-parks-and-recreation~~) commission may (~~increase-the~~) use

1 ((of)) its facilities and resources to provide ((environmental))  
2 scenic, natural, cultural, or historical resource interpretation  
3 throughout the state parks system.

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

6 The ((state parks and recreation)) commission may provide  
7 ((environmental interpretative)) scenic, natural, cultural, or  
8 historical resource interpretive activities for visitors to state parks  
9 that:

10 (1) Explain the functions, history, significance, and cultural  
11 aspects of ecosystems;

12 (2) Explain the relationship between human needs, human behaviors  
13 and attitudes, and the environment; ((and))

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

16 (4) Offer experiences and information to increase citizen  
17 understanding, appreciation, and stewardship of ((the environment and  
18 its multiple uses)) their natural, cultural, ethnic, and artistic  
19 heritage; and

20 (5) Explain the need for natural, cultural, and historical resource  
21 protection and preservation as well as the methods by which these goals  
22 can be achieved.

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

25 The ((state parks and recreation)) commission may consult and enter  
26 into agreements with and solicit assistance from ((private sector  
27 organizations and other governmental agencies that are interested in  
28 conserving and interpreting Washington's environment. The commission  
29 shall not permit commercial advertising in state park lands or  
30 interpretive centers as a condition of such agreements. Logos or  
31 credit lines for sponsoring organizations may be permitted. The  
32 commission shall maintain an accounting of all monetary gifts provided,  
33 and expenditures of monetary gifts shall not be used to increase  
34 personnel)) other public agencies, the state parks foundation, private  
35 entities, employee business units, and tribes that are interested in

1 stewarding and interpreting state parks scenic, natural, cultural, and  
2 recreational resources.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 79A.05 RCW  
4 to read as follows:

5 (1) The commission, in consultation with the department of  
6 archaeology and historic preservation, may permit commercial  
7 advertising on or in state parks lands and buildings when all the  
8 following conditions and standards are met with regard to the  
9 commercial advertising:

10 (a) It conforms to the United States secretary of the interior's  
11 standards for the treatment of historic properties when applied to  
12 advertising affecting historic structures, cultural and historic  
13 landscapes, and archaeological sites;

14 (b) It does not detract from the integrity of the park's natural,  
15 cultural, historic, and recreational resources and outstanding scenic  
16 view sheds;

17 (c) It does not create a potential conflict of interest because of  
18 the commercial or corporate entity's regulatory or business  
19 relationships with the commission; and

20 (d) It will acknowledge individuals and organizations that are  
21 donors or sponsors of park events or projects or support the  
22 sustainability of park concessionaires, lessees, or service providers.

23 (2) The commission is encouraged to use its advertising authority  
24 to promote:

25 (a) Community economic development near state parks;

26 (b) Wellness, healthy food options, healthy behaviors, and any  
27 other public health goals or principles adopted by the state; and

28 (c) Park visitor awareness of services and activities within and  
29 near each park.

30 (3) The commission shall adopt standards for advertising, naming,  
31 product placement, and other forms of commercial recognition that  
32 require the commission to define and prohibit, at minimum, the  
33 following:

34 (a) Obscene, indecent, or discriminatory content;

35 (b) Political or public issue advocacy content;

36 (c) Products, services, or other materials that are offensive,  
37 insulting, disparaging, or degrading; or

1 (d) Products, services, or messages that are contrary to the public  
2 interest, including any advertisement that encourages or depicts unsafe  
3 behaviors or encourages unsafe or prohibited recreation activities.  
4 Tobacco and cannabis must be included among the products prohibited  
5 under this subsection (3)(d).

6 (4) Notwithstanding subsection (1) of this section, commercial  
7 advertising, including product placement, is permitted on commission  
8 web sites, electronic social media, and printed materials within or  
9 outside of state parks.

10 NEW SECTION. **Sec. 5.** A new section is added to chapter 79A.05 RCW  
11 to read as follows:

12 (1) When entering into any agreement under RCW 79A.05.345 or  
13 otherwise involving the management of state park land or a facility by  
14 a public or private partner, the commission shall consider, when  
15 appropriate:

16 (a) If the entity has an adequate source of available funding to  
17 assume the financial responsibilities of the agreement;

18 (b) If the entity has sufficient expertise to assume the scope of  
19 responsibilities of the agreement;

20 (c) If the agreement results in net financial benefits to the  
21 state; and

22 (d) If the agreement results in advancement of the commission's  
23 public purpose.

24 (2) Any agreement subject to this section must include specific  
25 performance measures. The performance measures must cover, but are not  
26 limited to, the entity's ability to manage financial operating costs,  
27 to adequately perform management responsibilities, and to address and  
28 respond to public concerns. The agreement must provide that failure to  
29 meet any performance measure may lead to the termination of the  
30 contract or requirements for remedial action to be taken before the  
31 agreement may be extended.

32 (3) The commission's authority to enter into agreements under this  
33 section, section 4 of this act, or RCW 79A.05.345 does not include the  
34 ability to rename any state park after a corporate or commercial  
35 entity, product, or service.

1       **Sec. 6.** RCW 79A.70.010 and 2000 c 25 s 2 are each amended to read  
2 as follows:

3       The purpose of the Washington state parks ((gift)) foundation is to  
4 solicit support for the state parks system, cooperate with other  
5 organizations, and to encourage gifts to support and improve the state  
6 parks.

7       **Sec. 7.** RCW 79A.70.020 and 2000 c 25 s 3 are each amended to read  
8 as follows:

9       The definitions in this section apply throughout this chapter((τ))  
10 unless the context clearly requires otherwise.

11       (1) "Foundation" means the Washington state parks ((gift))  
12 foundation((τ)) created in RCW 79A.70.030.

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

15       (3) "Eligible grant recipients" includes any and all of the  
16 activities of the commission in carrying out the provisions of this  
17 title and friends groups or other organizations that propose projects  
18 or programs solely for the benefit of state parks.

19       (4) "Eligible projects" means any project, action, program, or part  
20 of any project ((⊗)) action, or program that serves to preserve,  
21 restore, improve, or enhance the state parks.

22       **Sec. 8.** RCW 79A.70.030 and 2000 c 25 s 4 are each amended to read  
23 as follows:

24       (1) By September 1, 2000, the commission shall file articles of  
25 incorporation in accordance with the Washington nonprofit corporation  
26 act, chapter 24.03 RCW, to establish the Washington state parks  
27 ((gift)) foundation. The foundation shall not be an agency,  
28 instrumentality, or political subdivision of the state and shall not  
29 disburse public funds.

30       (2) The foundation shall have a board of directors consisting of up  
31 to fifteen members, whose terms, method of appointment, and authority  
32 must be in accordance with the Washington nonprofit corporation act,  
33 chapter 24.03 RCW. ((Initial members of the board shall be appointed  
34 by the governor and collectively have experience in business,  
35 charitable giving, outdoor recreation, and parks administration.

1 ~~Initial appointments shall be made by September 30, 2000. Subsequent~~  
2 ~~board members shall be elected by the general membership of the~~  
3 ~~foundation.~~

4 ~~(3) Members of the board shall serve three year terms, except for~~  
5 ~~the initial terms, which shall be staggered by the governor to achieve~~  
6 ~~a balanced mix of terms on the board. Members of the board may serve~~  
7 ~~up to a maximum of three terms. At the end of a term, a member may~~  
8 ~~continue to serve until a successor has been elected.)~~

9 **Sec. 9.** RCW 79A.70.040 and 2000 c 25 s 5 are each amended to read  
10 as follows:

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

14 ~~(2))~~ The foundation shall actively solicit contributions from  
15 individuals and groups for the benefit of the state parks.

16 ~~((3))~~ (2) The foundation shall develop criteria for guiding  
17 themselves in either the creation of an endowment, or the making of  
18 grants to eligible grant recipients and eligible projects in the state  
19 parks, or both.

20 ~~((4))~~ (3) A competitive grant process shall be conducted at least  
21 annually by the foundation to award funds ~~((to the))~~ for the benefit of  
22 state parks. Competitive grant applications shall only be submitted to  
23 the foundation by the commission, friends groups, or other  
24 organizations with projects or programs solely for the benefit of state  
25 parks. ~~((The process shall be started as soon as practicable.))~~  
26 Grants shall be awarded to eligible projects consistent with the  
27 criteria developed by the foundation ~~((and shall be available only for~~  
28 ~~state parks use on eligible projects))~~.

Passed by the Senate March 11, 2014.  
Passed by the House March 7, 2014.  
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