

2 **SSB 5179** - H COMM AMD **ADOPTED 4/6/99**  
3 By Committee on Natural Resources

4

5 Strike everything after the enacting clause and insert the  
6 following:

7

**"PART I**

8

**DEFINITIONS**

9 NEW SECTION. **Sec. 101.** The definitions in this section apply  
10 throughout this title unless the context clearly requires otherwise.

11 (1) "Commission" means the state parks and recreation commission.

12 (2) "Chair" means the member of the commission elected pursuant to  
13 RCW 43.51.030 (as recodified by this act).

14 (3) "Director" and "director of the state parks and recreation  
15 commission" mean the director of parks and recreation or the director's  
16 designee.

17 (4) "Recreation" means those activities of a voluntary and leisure  
18 time nature that aid in promoting entertainment, pleasure, play,  
19 relaxation, or instruction.

20 (5) "Natural forest" means a forest that faithfully represents, or  
21 is meant to become representative of, its unaltered state.

22

**PART II**

23

**GENERAL POLICIES**

24 **Sec. 201.** RCW 43.51.020 and 1984 c 287 s 82 are each amended to  
25 read as follows:

26 There is hereby created a "state parks and recreation commission"  
27 consisting of seven (~~electors~~) citizens of the state. The members of  
28 the commission shall be appointed by the governor by and with the  
29 advice and consent of the senate and shall serve for a term of six  
30 years, expiring on December 31st of even-numbered years, and until  
31 their successors are appointed. In case of a vacancy, the governor  
32 shall fill the vacancy for the unexpired term of the commissioner whose  
33 office has become vacant.

1 ((The commissioners incumbent as of August 11, 1969, shall serve as  
2 follows:— Those commissioners whose terms expire December 31, 1970,  
3 shall serve until December 31, 1970; the elector appointed to succeed  
4 to the office, the term for which expired December 31, 1968, shall  
5 serve until December 31, 1974; the terms of three of the four remaining  
6 commissioners shall each expire on December 31, 1972.

7 To assure that no more than the terms of three members will expire  
8 simultaneously on December 31st in any one even-numbered year, the term  
9 of not more than one commissioner incumbent on August 11, 1969, as  
10 designated by the governor, who was either appointed or reappointed to  
11 serve until December 31, 1972, shall be increased by the governor by  
12 two years, and said term shall expire December 31, 1974.))

13 In making the appointments to the commission, the governor shall  
14 choose ((electors)) citizens who understand park and recreation needs  
15 and interests. No person shall serve if he or she holds any elective  
16 or full-time appointive state, county, or municipal office. Members of  
17 the commission shall be compensated in accordance with RCW 43.03.240  
18 and in addition shall be allowed their travel expenses incurred while  
19 absent from their usual places of residence in accordance with RCW  
20 43.03.050 and 43.03.060.

21 Payment of expenses pertaining to the operation of the commission  
22 shall be made upon vouchers certified to by such persons as shall be  
23 designated by the commission.

24 **Sec. 202.** RCW 43.51.030 and 1965 c 8 s 43.51.030 are each amended  
25 to read as follows:

26 The commission shall elect one of its members as ((chairman))  
27 chair. The commission may be convened at such times as the  
28 ((chairman)) chair deems necessary, and a majority shall constitute a  
29 quorum for the transaction of business.

### 30 **PART III**

#### 31 **DUTIES AND POWERS OF THE COMMISSION**

32 NEW SECTION. **Sec. 301.** In addition to whatever other duties may  
33 exist in law or be imposed in the future, it is the duty of the  
34 commission to:

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

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

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

4 (4) Coordinate planning and provide staffing and administrative  
5 assistance to the Lewis and Clark trail committee as required by RCW  
6 27.34.340;

7 (5) Administer those portions of chapter 46.10 RCW not dealing with  
8 registration and licensing of snowmobiles as required by RCW 46.10.210;

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

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

14 The commission has the power reasonably necessary to carry out  
15 these duties.

16 **Sec. 302.** RCW 43.51.040 and 1989 c 175 s 106 are each amended to  
17 read as follows:

18 The commission shall:

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

22 (2) Adopt policies, (~~promulgate~~) and adopt, issue, and enforce  
23 rules pertaining to the use, care, and administration of state parks  
24 and parkways. The commission shall cause a copy of the rules to be  
25 kept posted in a conspicuous place in every state park to which they  
26 are applicable, but failure to post or keep any rule posted shall be no  
27 defense to any prosecution for the violation thereof.

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

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

34 (5) Grant concessions or leases in state parks and parkways, upon  
35 such rentals, fees, or percentage of income or profits and for such  
36 terms, in no event longer than forty years, and upon such conditions as  
37 shall be approved by the commission: PROVIDED, That leases exceeding  
38 a twenty-year term shall require a unanimous vote of the commission:

1 PROVIDED FURTHER, That if, during the term of any concession or lease,  
2 it is the opinion of the commission that it would be in the best  
3 interest of the state, the commission may, with the consent of the  
4 concessionaire or lessee, alter and amend the terms and conditions of  
5 such concession or lease: PROVIDED FURTHER, That television station  
6 leases shall be subject to the provisions of RCW 43.51.063 (as  
7 recodified by this act), only: PROVIDED FURTHER, That the rates of  
8 such concessions or leases shall be renegotiated at five-year  
9 intervals. No concession shall be granted which will prevent the  
10 public from having free access to the scenic attractions of any park or  
11 parkway.

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

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

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

25 (b) Moneys used for the purchase of the option agreement are from  
26 (i) funds appropriated therefor, or (ii) funds appropriated for  
27 undesignated land acquisitions, or (iii) funds deemed by the commission  
28 to be in excess of the amount necessary for the purposes for which they  
29 were appropriated; and

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

32 (8) Cooperate with the United States, or any county or city of this  
33 state, in any matter pertaining to the acquisition, development,  
34 redevelopment, renovation, care, control, or supervision of any park or  
35 parkway, and enter into contracts in writing to that end. All parks or  
36 parkways, to which the state contributed or in whose care, control, or  
37 supervision the state participated pursuant to the provisions of this  
38 section, shall be governed by the provisions hereof.

1       **Sec. 303.** RCW 43.51.045 and 1984 c 82 s 1 are each amended to read  
2 as follows:

3       (1) The commission 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 personnel, unless the personnel lack necessary expertise.  
19 Except in emergencies and when feasible, significant trees shall be  
20 removed only after they have been marked or appraised by a professional  
21 forester. The removal of significant trees from a natural forest may  
22 take place only after a public hearing has been held, except in  
23 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 may issue permits to individuals under RCW  
30 4.24.210 and 43.51.065 (as recodified by this act) for the removal of  
31 wood debris from 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 43.51.275  
37 (as recodified by this act).

1       **Sec. 304.** RCW 43.51.046 and 1991 c 11 s 1 are each amended to read  
2 as follows:

3       (1) ~~((By July 1, 1992,))~~ The ~~((state parks and recreation))~~  
4 commission shall provide waste reduction and recycling information in  
5 each state park campground and day-use area.

6       (2) ~~((By July 1, 1993,))~~ The commission shall provide recycling  
7 receptacles in the day-use and campground areas of at least ~~((fifteen))~~  
8 forty state parks. The receptacles shall be clearly marked for the  
9 disposal of at least two of the following recyclable materials:  
10 Aluminum, glass, newspaper, plastic, and tin. The commission shall  
11 endeavor to provide recycling receptacles in parks that are near urban  
12 centers or in heavily used parks.

13       (3) The commission shall provide daily maintenance of such  
14 receptacles from April through September of each year.

15       (4) ~~((Beginning July 1, 1993, the commission shall provide  
16 recycling receptacles in at least five additional state parks per  
17 biennium until the total number of state parks having recycling  
18 receptacles reaches forty.~~

19       ~~(5))~~ The commission is authorized to enter into agreements with  
20 any person, company, or nonprofit organization to provide for the  
21 collection and transport of recyclable materials and related activities  
22 under this section.

23       **Sec. 305.** RCW 43.51.055 and 1997 c 74 s 1 are each amended to read  
24 as follows:

25       (1) The commission shall grant to any person who meets the  
26 eligibility requirements specified in this section a senior citizen's  
27 pass which shall (a) entitle such person, and members of his or her  
28 camping unit, to a fifty percent reduction in the campsite rental fee  
29 prescribed by the commission, and (b) entitle such person to free  
30 admission to any state park.

31       (2) The commission shall grant a senior citizen's pass to any  
32 person who applies for the same and who meets the following  
33 requirements:

34       (a) The person is at least sixty-two years of age; and

35       (b) The person is a domiciliary of the state of Washington and  
36 meets reasonable residency requirements prescribed by the commission;  
37 and

1 (c) The person and his or her spouse have a combined income which  
2 would qualify the person for a property tax exemption pursuant to RCW  
3 84.36.381, as now law or hereafter amended. The financial eligibility  
4 requirements of this subparagraph (c) shall apply regardless of whether  
5 the applicant for a senior citizen's pass owns taxable property or has  
6 obtained or applied for such property tax exemption.

7 (3) Each senior citizen's pass granted pursuant to this section is  
8 valid so long as the senior citizen meets the requirements of  
9 subsection (2)(b) of this section. Notwithstanding, any senior citizen  
10 meeting the eligibility requirements of this section may make a  
11 voluntary donation for the upkeep and maintenance of state parks.

12 (4) A holder of a senior citizen's pass shall surrender the pass  
13 upon request of a commission employee when the employee has reason to  
14 believe the holder fails to meet the criteria in subsection (2)(a),  
15 (b), or (c) of this section. The holder shall have the pass returned  
16 upon providing proof to the satisfaction of the director of the parks  
17 and recreation commission that the holder does meet the eligibility  
18 criteria for obtaining the senior citizen's pass.

19 (5) Any resident of Washington who is disabled as defined by the  
20 social security administration and who receives social security  
21 benefits for that disability, or any other benefits for that disability  
22 from any other governmental or nongovernmental source, or who is  
23 entitled to benefits for permanent disability under RCW  
24 71A.10.020(~~((+2))~~) (3) due to unemployability full time at the minimum  
25 wage, or who is legally blind or profoundly deaf, or who has been  
26 issued a card, decal, or special license plate for a permanent  
27 disability under RCW 46.16.381 shall be entitled to receive, regardless  
28 of age and upon making application therefor, a disability pass at no  
29 cost to the holder. The pass shall (a) entitle such person, and  
30 members of his or her camping unit, to a fifty percent reduction in the  
31 campsite rental fee prescribed by the commission, and (b) entitle such  
32 person to free admission to any state park.

33 (6) A card, decal, or special license plate issued for a permanent  
34 disability under RCW 46.16.381 may serve as a pass for the holder to  
35 entitle that person and members of the person's camping unit to a fifty  
36 percent reduction in the campsite rental fee prescribed by the  
37 commission, and to allow the holder free admission to state parks.

38 (7) Any resident of Washington who is a veteran and has a service-  
39 connected disability of at least thirty percent shall be entitled to

1 receive a lifetime veteran's disability pass at no cost to the holder.  
2 The pass shall (a) entitle such person, and members of his or her  
3 camping unit, to free use of any campsite within any state park; (b)  
4 entitle such person to free admission to any state park; and (c)  
5 entitle such person to an exemption from any reservation fees.

6 (8) All passes issued pursuant to this section shall be valid at  
7 all parks any time during the year: PROVIDED, That the pass shall not  
8 be valid for admission to concessionaire operated facilities.

9 (9) This section shall not affect or otherwise impair the power of  
10 the commission to continue or discontinue any other programs it has  
11 adopted for senior citizens.

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

21 **Sec. 306.** RCW 43.51.061 and 1969 ex.s. c 31 s 2 are each amended  
22 to read as follows:

23 (~~Notwithstanding any other provisions of this chapter or of other~~  
24 ~~laws~~) No provision of law relating to the commission(~~(7)~~) shall  
25 prevent the commission (~~(may delegate)~~) from delegating to the director  
26 (~~(of parks and recreation)~~) such powers and duties of the commission as  
27 they may deem proper.

28 **Sec. 307.** RCW 43.51.060 and 1995 c 211 s 3 are each amended to  
29 read as follows:

30 The commission may:

31 (1) Make rules and regulations for the proper administration of its  
32 duties;

33 (2) Accept any grants of funds made with or without a matching  
34 requirement by the United States, or any agency thereof, for purposes  
35 in keeping with the purposes of this chapter; accept gifts, bequests,  
36 devises and endowments for purposes in keeping with such purposes;  
37 enter into cooperative agreements with and provide for private



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

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

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

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

23 (6) Charge such fees for services, utilities, and use of facilities  
24 as the commission shall deem proper;

25 (7) Enter into agreements whereby individuals or companies may rent  
26 undeveloped parks or parkway land for grazing, agricultural, or mineral  
27 development purposes upon such terms and conditions as the commission  
28 shall deem proper, for a term not to exceed ten years;

29 (8) Determine the qualifications of and employ a director of parks  
30 and recreation who shall receive a salary as fixed by the governor in  
31 accordance with the provisions of RCW 43.03.040(~~(, and upon his~~  
32 ~~recommendation, a supervisor of recreation,~~) and determine the  
33 qualifications and salary of and employ such other persons as may be  
34 needed to carry out the provisions hereof; and

35 (9) Without being limited to the powers hereinbefore enumerated,  
36 the commission shall have such other powers as in the judgment of a  
37 majority of its members are deemed necessary to effectuate the purposes  
38 of this chapter: PROVIDED, That the commission shall not have power to

1 supervise directly any local park or recreation district, and no funds  
2 shall be made available for such purpose.

3 **PART IV**

4 **DUTIES OF THE DIRECTOR**

5 NEW SECTION. **Sec. 401.** In addition to other duties the commission  
6 may from time to time impose, it is the duty of the director to:

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

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

11 The director has the power reasonably necessary to carry out these  
12 duties.

13 **Sec. 402.** RCW 43.51.052 and 1997 c 137 s 2 are each amended to  
14 read as follows:

15 (1) The parks improvement account is hereby established in the  
16 state treasury.

17 (2) The (~~(parks and recreation)~~) commission shall deposit all  
18 moneys received from the sale of interpretive, recreational, and  
19 historical literature and materials in this account. Moneys in the  
20 account may be spent only for development, production, and distribution  
21 costs associated with literature and materials.

22 (3) Disbursements from the account shall be on the authority of the  
23 director (~~(of the parks and recreation commission)~~), or the director's  
24 designee. The account is subject to the allotment procedure provided  
25 under chapter 43.88 RCW. No appropriation is required for disbursement  
26 of moneys to be used for support of further production of materials  
27 provided for in RCW 43.51.050(2) (as recodified by this act). The  
28 director may transfer a portion of the moneys in this account to the  
29 state parks renewal and stewardship account and may expend moneys so  
30 transferred for any purpose provided for in RCW 43.51.275 (as  
31 recodified by this act).

32 **PART V**

33 **PROHIBITED ACTS AND PENALTIES**



1 provided in this section or by the method provided in RCW 43.51.200 (as  
2 recodified by this act). If such lands are school or other grant  
3 lands, control thereof shall be relinquished by resolution of the  
4 commission to the proper state officials. If such lands were acquired  
5 under restrictive conveyances by which the state may hold them only so  
6 long as they are used for park purposes, they may be returned to the  
7 donor or grantors by the commission. All other such lands may be  
8 either sold by the commission to the highest bidder or exchanged for  
9 other lands of equal value by the commission, and all conveyance  
10 documents shall be executed by the governor. All such exchanges shall  
11 be accompanied by a transfer fee, to be set by the commission and paid  
12 by the other party to the transfer; such fee shall be paid into the  
13 parkland acquisition account established under RCW 43.51.200 as  
14 recodified by this act). Sealed bids on all sales shall be solicited  
15 at least twenty days in advance of the sale date by an advertisement  
16 appearing at least ~~((in three))~~ once a week for two consecutive  
17 ~~((issues of))~~ weeks in a newspaper of general circulation in the county  
18 in which the land to be sold is located. If the commission feels that  
19 no bid received adequately reflects the fair value of the land to be  
20 sold, it may reject all bids, and may call for new bids. All proceeds  
21 derived from the sale of such park property shall be paid into the park  
22 land acquisition account. All land considered for exchange shall be  
23 evaluated by the commission to determine its adaptability to park  
24 usage. The equal value of all lands exchanged shall first be  
25 determined by the appraisals to the satisfaction of the commission(~~(+~~  
26 ~~PROVIDED, That~~)). No sale or exchange of state park lands shall be  
27 made without the unanimous consent of the commission.

28 **PART VII**  
29 **VOLUNTEERS**

30 NEW SECTION. **Sec. 701.** The commission shall cooperate in  
31 implementing and operating the conservation corps as required by  
32 chapter 43.220 RCW.

33 **Sec. 702.** RCW 43.220.160 and 1983 1st ex.s. c 40 s 16 are each  
34 amended to read as follows:

35 (1) There is established a conservation corps within the state  
36 parks and recreation commission.

1 (2) Specific work project areas of the state parks and recreation  
2 conservation corps may include the following:  
3 (a) Restoration or development of park facilities;  
4 (b) Trail construction and maintenance;  
5 (c) Litter control;  
6 (d) Park and land rehabilitation;  
7 (e) Fire suppression;  
8 (f) Road repair; and  
9 (g) Other projects as the state parks and recreation commission may  
10 determine. If ((~~appropriation~~)) appropriate facilities are available,  
11 the state parks and recreation commission may authorize carrying out  
12 projects which involve overnight stays.

13 **PART VIII**

14 **SCENIC RIVER SYSTEM**

15 **Sec. 801.** RCW 79.72.020 and 1994 c 264 s 64 are each amended to  
16 read as follows:

17 The definitions set forth in this section apply throughout this  
18 chapter unless the context clearly requires otherwise.

19 (1) ((~~"Department"~~)) "Commission" means the state parks and  
20 recreation commission.

21 (2) "Committee of participating agencies" or "committee" means a  
22 committee composed of the executive head, or the executive's designee,  
23 of each of the state departments of ecology, fish and wildlife, natural  
24 resources, and transportation, the state parks and recreation  
25 commission, the interagency committee for outdoor recreation, the  
26 Washington state association of counties, and the association of  
27 Washington cities. In addition, the governor shall appoint two public  
28 members of the committee. Public members of the committee shall be  
29 compensated in accordance with RCW 43.03.220 and shall receive  
30 reimbursement for their travel expenses as provided in RCW 43.03.050  
31 and 43.03.060.

32 When a specific river or river segment of the state's scenic river  
33 system is being considered by the committee, a representative of each  
34 participating local government associated with that river or river  
35 segment shall serve as a member of the committee.

36 (3) "Participating local government" means the legislative  
37 authority of any city or county, a portion of whose territorial

1 jurisdiction is bounded by or includes a river or river segment of the  
2 state's scenic river system.

3 (4) "River" means a flowing body of water or a section, segment, or  
4 portion thereof.

5 (5) "River area" means a river and the land area in its immediate  
6 environs as established by the participating agencies not exceeding a  
7 width of one-quarter mile landward from the streamway on either side of  
8 the river.

9 (6) "Scenic easement" means the negotiated right to control the use  
10 of land, including the air space above the land, for the purpose of  
11 protecting the scenic view throughout the visual corridor.

12 (7) "Streamway" means that stream-dependent corridor of single or  
13 multiple, wet or dry, channel or channels within which the usual  
14 seasonal or stormwater run-off peaks are contained, and within which  
15 environment the flora, fauna, soil, and topography is dependent on or  
16 influenced by the height and velocity of the fluctuating river  
17 currents.

18 (8) "System" means all the rivers and river areas in the state  
19 designated by the legislature for inclusion as scenic rivers but does  
20 not include tributaries of a designated river unless specifically  
21 included by the legislature. The inclusion of a river in the system  
22 does not mean that other rivers or tributaries in a drainage basin  
23 shall be required to be part of the management program developed for  
24 the system unless the rivers and tributaries within the drainage basin  
25 are specifically designated for inclusion by the legislature.

26 (9) "Visual corridor" means that area which can be seen in a normal  
27 summer month by a person of normal vision walking either bank of a  
28 river included in the system. The visual corridor shall not exceed the  
29 river area.

30 **Sec. 802.** RCW 79.72.030 and 1977 ex.s. c 161 s 3 are each amended  
31 to read as follows:

32 (1) The ~~((department))~~ commission shall develop and adopt  
33 management policies for publicly owned or leased land on the rivers  
34 designated by the legislature as being a part of the state's scenic  
35 river system and within the associated river areas. The ~~((department))~~  
36 commission may adopt ~~((regulations))~~ rules identifying river  
37 classifications which reflect the characteristics common to various  
38 segments of scenic rivers and may adopt management policies consistent

1 with local government's shoreline management master plans appropriate  
2 for each such river classification. All such policies shall be subject  
3 to review by the committee of participating agencies. Once such a  
4 policy has been approved by a majority vote of the committee members,  
5 it shall be adopted by the ((department)) commission in accordance with  
6 the provisions of chapter 34.05 RCW, as now or hereafter amended. Any  
7 variance with such a policy by any public agency shall be authorized  
8 only by the approval of the committee of participating agencies by  
9 majority vote, and shall be made only to alleviate unusual hardships  
10 unique to a given segment of the system.

11 (2) Any policies developed pursuant to subsection (1) of this  
12 section shall include management plans for protecting ecological,  
13 economic, recreational, aesthetic, botanical, scenic, geological,  
14 hydrological, fish and wildlife, historical, cultural, archaeological,  
15 and scientific features of the rivers designated as being in the  
16 system. Such policies shall also include management plans to encourage  
17 any nonprofit group, organization, association, person, or corporation  
18 to develop and adopt programs for the purpose of increasing fish  
19 propagation.

20 (3) The committee of participating agencies shall, by two-thirds  
21 majority vote, identify on a river by river basis any publicly owned or  
22 leased lands which could be included in a river area of the system but  
23 which are developed in a manner unsuitable for land to be managed as  
24 part of the system. The ((department)) commission shall exclude lands  
25 so identified from the provisions of any management policies  
26 implementing the provisions of this chapter.

27 (4) The committee of participating agencies, by majority vote,  
28 shall determine the boundaries which shall define the river area  
29 associated with any included river. With respect to the rivers named  
30 in RCW 79.72.080 (as recodified by this act), the committee shall make  
31 such determination, and those determinations authorized by subsection  
32 (3) of this section, within one year of September 21, 1977.

33 (5) Before making a decision regarding the river area to be  
34 included in the system, a variance in policy, or the excluding of land  
35 from the provisions of the management policies, the committee shall  
36 hold hearings in accord with chapter 34.05 RCW, with at least one  
37 public hearing to be held in the general locale of the river under  
38 consideration. The ((department)) commission shall cause to be  
39 published in a newspaper of general circulation in the area which

1 includes the river or rivers to be considered, a description, including  
2 a map showing such river or rivers, of the material to be considered at  
3 the public hearing. Such notice shall appear at least twice in the  
4 time period between two and four weeks prior to the public hearing.

5 (6) Meetings of the committee shall be called by the ((department))  
6 commission or by written petition signed by five or more of the  
7 committee members. The ((chairman)) chair of the ((parks—and  
8 recreation)) commission or the ((chairman's)) chair's designee shall  
9 serve as the ((chairman)) chair of any meetings of the committee held  
10 to implement the provisions of this chapter.

11 The committee shall seek and receive comments from the public  
12 regarding potential additions to the system, shall initiate studies,  
13 and may, through the ((department)) commission, submit to any session  
14 of the legislature proposals for additions to the state scenic river  
15 system. These proposals shall be accompanied by a detailed report on  
16 the factors which, in the committee's judgment, make an area a worthy  
17 addition to the system.

18 **Sec. 803.** RCW 79.72.040 and 1989 c 175 s 169 are each amended to  
19 read as follows:

20 (1) The management program for the system shall be administered by  
21 the ((department)) commission. The ((department)) commission shall  
22 have the responsibility for coordinating the development of the program  
23 between affected state agencies and participating local governments,  
24 and shall develop and adopt rules, in accord with chapter 34.05 RCW,  
25 the Administrative Procedure Act, for each portion of the system, which  
26 shall implement the management policies. In developing rules for a  
27 specific river in the system, the ((department)) commission shall hold  
28 at least one public hearing in the general locale of the river under  
29 consideration. The hearing may constitute the hearing required by  
30 chapter 34.05 RCW. The ((department)) commission shall cause a brief  
31 summary of the proposed rules to be published twice in a newspaper of  
32 general circulation in the area that includes the river to be  
33 considered in the period of time between two and four weeks prior to  
34 the public hearing. In addition to the foregoing required publication,  
35 the ((department)) commission shall also provide notice of the  
36 hearings, rules, and decisions of the ((department)) commission to  
37 radio and television stations and major local newspapers in the areas  
38 that include the river to be considered.



1 (2) In addition to any other powers granted to carry out the intent  
2 of this chapter, the ((department)) commission is authorized, subject  
3 to approval by majority vote of the members of the committee, to: (a)  
4 Purchase, within the river area, real property in fee or any lesser  
5 right or interest in real property including, but not limited to scenic  
6 easements and future development rights, visual corridors, wildlife  
7 habitats, unique ecological areas, historical sites, camping and picnic  
8 areas, boat launching sites, and/or easements abutting the river for  
9 the purpose of preserving or enhancing the river or facilitating the  
10 use of the river by the public for fishing, boating and other water  
11 related activities; and (b) purchase, outside of a river area, public  
12 access to the river area.

13 The right of eminent domain shall not be utilized in any purchase  
14 made pursuant to this section.

15 (3) The ((department)) commission is further authorized to: (a)  
16 Acquire by gift, devise, grant, or dedication the fee, an option to  
17 purchase, a right of first refusal or any other lesser right or  
18 interest in real property and upon acquisition such real property shall  
19 be held and managed within the scenic river system; and (b) accept  
20 grants, contributions, or funds from any agency, public or private, or  
21 individual for the purposes of this chapter.

22 (4) The ((department)) commission is hereby vested with the power  
23 to obtain injunctions and other appropriate relief against violations  
24 of any provisions of this chapter and any rules adopted under this  
25 section or agreements made under the provisions of this chapter.

26 **Sec. 804.** RCW 79.72.050 and 1977 ex.s. c 161 s 5 are each amended  
27 to read as follows:

28 (1) All state government agencies and local governments are hereby  
29 directed to pursue policies with regard to their respective activities,  
30 functions, powers, and duties which are designed to conserve and  
31 enhance the conditions of rivers which have been included in the  
32 system, in accordance with the management policies and the rules ((and  
33 regulations)) adopted by the ((department)) commission for such rivers.  
34 Local agencies are directed to pursue such policies with respect to all  
35 lands in the river area owned or leased by such local agencies.  
36 Nothing in this chapter shall authorize the modification of a shoreline  
37 management plan adopted by a local government and approved by the state  
38 pursuant to chapter 90.58 RCW without the approval of the department of

1 ecology and local government. The policies adopted pursuant to this  
2 chapter shall be integrated, as fully as possible, with those of the  
3 shoreline management act of 1971.

4 (2) Nothing in this chapter shall grant to the committee of  
5 participating agencies or the (~~department~~) commission the power to  
6 restrict the use of private land without either the specific written  
7 consent of the owner thereof or the acquisition of rights in real  
8 property authorized by RCW 79.72.040 (as recodified by this act).

9 (3) Nothing in this chapter shall prohibit the department of  
10 natural resources from exercising its full responsibilities and  
11 obligations for the management of state trust lands.

12 **Sec. 805.** RCW 79.72.070 and 1988 c 36 s 58 are each amended to  
13 read as follows:

14 Nothing contained in this chapter shall affect the authority of the  
15 department of (~~fisheries and the department of~~) fish and wildlife to  
16 construct facilities or make improvements to facilitate the passage or  
17 propagation of fish nor shall anything in this chapter be construed to  
18 interfere with the powers, duties, and authority of the department of  
19 (~~fisheries or the department of~~) fish and wildlife to regulate,  
20 manage, conserve, and provide for the harvest of fish or wildlife  
21 within any area designated as being in the state's scenic river  
22 system(~~(:—PROVIDED, That)~~). No hunting shall be permitted in any  
23 state park.

## 24 **PART IX**

### 25 **ACQUIRING AND DEVELOPING PARK HOLDINGS**

26 **Sec. 901.** RCW 43.51.070 and 1965 c 8 s 43.51.070 are each amended  
27 to read as follows:

28 The commission may receive and accept donations of lands for state  
29 park purposes, and shall (~~have~~) be responsible for the management and  
30 control of all lands so acquired. It may from time to time recommend  
31 to the legislature the acquisition of lands for park purposes by  
32 purchase or condemnation.

33 **Sec. 902.** RCW 43.51.110 and 1965 c 8 s 43.51.110 are each amended  
34 to read as follows:

1 The commissioner of public lands may, upon his or her own motion,  
2 and shall, when directed so to do by the (~~(state parks and recreation)~~)  
3 commission, withdraw from sale any land held by the state and not  
4 acquired directly from the United States with reservations as to the  
5 manner of sale thereof and the purposes for which it may be sold, and  
6 certify to the commission that such land is withheld from sale pursuant  
7 to the terms of this section.

8 All such land shall be under the care, charge, control, and  
9 supervision of the (~~(state parks and recreation)~~) commission, and after  
10 appraisal in such manner as the commission directs may be exchanged for  
11 land of equal value (~~(abutting upon a public highway)~~), and to this end  
12 the (~~(chairman)~~) chair and secretary of the commission may execute  
13 deeds of conveyance in the name of the state.

14 **Sec. 903.** RCW 43.51.140 and 1982 c 156 s 2 are each amended to  
15 read as follows:

16 Any such individual, group, organization, agency, club, or  
17 association desiring to obtain such permit shall make application  
18 therefor in writing to the commission, describing the lands proposed to  
19 be improved and stating the nature of the proposed improvement. Prior  
20 to granting a permit, the commission shall determine that the  
21 applicants are (~~(persons of good standing in the community in which~~  
22 ~~they reside)~~) likely to actually improve the park, parkway, or land  
23 subject to the application.

24 **Sec. 904.** RCW 43.51.220 and 1965 c 8 s 43.51.220 are each amended  
25 to read as follows:

26 To encourage the development of the Puget Sound country as a  
27 recreational boating area, the commission is authorized to establish  
28 landing, launch ramp, and other facilities for small pleasure boats at  
29 places on Puget Sound frequented by such boats and where the commission  
30 shall find such facilities will be of greatest advantage to the users  
31 of pleasure boats. The commission is authorized to acquire land or to  
32 make use of lands belonging to the state for such purposes, and to  
33 construct the necessary floats, launch ramp, and other desirable  
34 structures and to make such further development of any area used in  
35 connection therewith as in the judgment of the commission is best  
36 calculated to facilitate the public enjoyment thereof.

1       **Sec. 905.** RCW 43.51.237 and 1997 c 150 s 3 are each amended to  
2 read as follows:

3       (1) The commission shall develop a cost-effective plan to identify  
4 historic archaeological resources in at least one state park containing  
5 a military fort located in Puget Sound. The plan shall include the use  
6 of a professional archaeologist and volunteer citizens. ~~((By December  
7 1, 1997, the commission shall submit a brief report to the appropriate  
8 standing committees of the legislature on how the plan will be  
9 implemented and the cost of the plan.))~~

10       (2) Any park land that is made available for use by recreational  
11 metal detectors under this section shall count toward the requirements  
12 established in RCW 43.51.235 (as recodified by this act).

13       **Sec. 906.** RCW 43.51.270 and 1995 c 211 s 4 are each amended to  
14 read as follows:

15       (1) The department of natural resources and the ~~((state parks and  
16 recreation))~~ commission shall have authority to negotiate ~~((a))~~ sales  
17 to the ~~((state parks and recreation))~~ commission, for park and outdoor  
18 recreation purposes, of trust lands at fair market value.

19       (2) The department of natural resources and the ~~((state parks and  
20 recreation))~~ commission shall negotiate a sale to the ~~((state parks and  
21 recreation))~~ commission of the lands and timber thereon identified in  
22 the joint study under section 4, chapter 163, Laws of 1985, and  
23 commonly referred to as the Point Lawrence trust property, San Juan  
24 county « on the extreme east point of Orcas Island. Timber  
25 conservation and management practices provided for in RCW 43.51.045 and  
26 43.51.395 (as recodified by this act) shall govern the management of  
27 land and timber transferred under this subsection as of the effective  
28 date of the transfer, upon payment for the property, and nothing in  
29 this chapter shall be construed as restricting or otherwise modifying  
30 the department of natural resources' management, control, or use of  
31 such land and timber until such date.

32       NEW SECTION. **Sec. 907.** The commission is authorized to evaluate  
33 and acquire land under RCW 79.01.612 in cooperation with the department  
34 of natural resources.





1 opportunities and to conserve and protect unique marine resources of  
2 the state of Washington. In establishing and maintaining an underwater  
3 park system, the commission may:

4 (1) Plan, construct, and maintain underwater parks;

5 (2) Acquire property and enter management agreements with other  
6 units of state government for the management of lands, tidelands, and  
7 bedlands as underwater parks;

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

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

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

13 (6) Work with the federal government, local governments and other  
14 appropriate agencies of state government, including but not limited to:  
15 The department of natural resources, the department of fish and  
16 wildlife and the natural heritage council to carry out the purposes of  
17 (~~RCW 43.51.430 through 43.51.438~~) this chapter; and

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

20 **PART XIV**

21 **SPECIAL PARKS--WINTER RECREATION AREAS**

22 **Sec. 1401.** RCW 43.51.290 and 1990 c 136 s 2 and 1990 c 49 s 2 are  
23 each reenacted and amended to read as follows:

24 In addition to its other powers, duties, and functions the (~~state~~  
25 ~~parks and recreation~~) commission may:

26 (1) Plan, construct, and maintain suitable facilities for winter  
27 recreational activities on lands administered or acquired by the  
28 commission or as authorized on lands administered by other public  
29 agencies or private landowners by agreement;

30 (2) Provide and issue upon payment of the proper fee, under RCW  
31 43.51.300 (as recodified by this act), 43.51.320 (as recodified by this  
32 act), and 46.61.585, with the assistance of such authorized agents as  
33 may be necessary for the convenience of the public, special permits to  
34 park in designated winter recreational area parking spaces;

35 (3) Administer the snow removal operations for all designated  
36 winter recreational area parking spaces; and

1 (4) Compile, publish, and distribute maps indicating such parking  
2 spaces, adjacent trails, and areas and facilities suitable for winter  
3 recreational activities.

4 The commission may contract with any public or private agency for  
5 the actual conduct of such duties, but shall remain responsible for the  
6 proper administration thereof. The commission is not liable for  
7 unintentional injuries to users of lands administered for winter  
8 recreation purposes under this section or under RCW 46.10.210, whether  
9 the lands are administered by the commission, by other public agencies,  
10 or by private landowners through agreement with the commission.  
11 Nothing in this section prevents the liability of the commission for  
12 injuries sustained by a user by reason of a known dangerous artificial  
13 latent condition for which warning signs have not been conspicuously  
14 posted. A road covered with snow and groomed for the purposes of  
15 winter recreation consistent with this chapter and chapter 46.10 RCW  
16 shall not be presumed to be a known dangerous artificial latent  
17 condition for the purposes of this chapter.

18 **PART XV**  
19 **RECREATIONAL VESSELS**

20 **Sec. 1501.** RCW 88.12.015 and 1993 c 244 s 6 are each amended to  
21 read as follows:

22 ~~(1) ((It is a misdemeanor, punishable under RCW 9.92.030, for any~~  
23 ~~person to commit))~~ A violation of this chapter designated as an  
24 infraction ((under this chapter)) is a misdemeanor, punishable under  
25 RCW 9.92.030, if ((during a period of three hundred sixty-five days the  
26 person has previously committed two infractions for violating the same  
27 provision under this chapter and if the violation is also committed  
28 during such period and is of the same provision as the previous  
29 violations)) the current violation is the person's third violation of  
30 the same provision of this chapter during the past three hundred sixty-  
31 five days.

32 (2) A violation designated in this chapter as a civil infraction  
33 shall constitute a ~~((misdemeanor until the violation is included in a~~  
34 ~~civil infraction monetary schedule adopted by rule by the state supreme~~  
35 ~~court))~~ civil infraction pursuant to chapter 7.84 RCW.



1       **Sec. 1502.** RCW 88.12.165 and 1984 c 183 s 3 are each amended to  
2 read as follows:

3       (1) All reports made to the commission pursuant to RCW  
4 (~~88.12.130~~) 88.12.155 and 43.51.400 (as recodified by this act) shall  
5 be without prejudice to the person who makes the report and shall be  
6 for the confidential usage of governmental agencies, except as follows:

7       (a) Statistical information which shall be made public;

8       (b) The names and addresses of the operator and owner and the  
9 registration number or name of the vessel as documented which was  
10 involved in an accident or casualty and the names and addresses of any  
11 witnesses which, if reported, shall be disclosed upon written request  
12 to any person involved in a reportable accident, or, for a reportable  
13 casualty, to any member of a decedent's family or the personal  
14 representatives of the family.

15       (2) A report made to the commission pursuant to RCW (~~88.12.130~~)  
16 88.12.155 and 43.51.400 (as recodified by this act) or copy thereof  
17 shall not be used in any trial, civil or criminal, arising out of an  
18 accident or casualty, except that solely to prove a compliance or  
19 failure to comply with the report requirements of RCW (~~88.12.130~~)  
20 88.12.155 and 43.51.400 (as recodified by this act), a certified  
21 statement which indicates that a report has or has not been made to the  
22 commission shall be provided upon demand to any court or upon written  
23 request to any person who has or claims to have made a report.

24       **Sec. 1503.** RCW 88.12.175 and 1987 c 427 s 1 are each amended to  
25 read as follows:

26       Law enforcement authorities, fire departments, or search and rescue  
27 units of any city or county government shall provide to the commission  
28 a report, prepared by the local government agency regarding any boating  
29 accident occurring within their jurisdiction resulting in a death or  
30 injury requiring hospitalization. Such report shall be provided to the  
31 commission within ten days of the occurrence of the accident. The  
32 results of any investigation of the accident conducted by the city or  
33 county governmental agency shall be included in the report provided to  
34 the commission. At the earliest opportunity, but in no case more than  
35 forty-eight hours after becoming aware of an accident, the agency shall  
36 notify the commission of the accident. The commission shall have  
37 authority to investigate any boating accident. The results of any  
38 investigation conducted by the commission shall be made available to

1 the local government for further processing. This provision does not  
2 eliminate the requirement for a boating accident report by the operator  
3 required under RCW (~~(88.12.130)~~) 88.12.155 (as recodified by this act).

4 The report of a county coroner, or any public official assuming the  
5 functions of a coroner, concerning the death of any person resulting  
6 from a boating accident, shall be submitted to the commission within  
7 one week of completion. Information in such report may be, together  
8 with information in other such reports, incorporated into the state  
9 boating accident report provided for in RCW 43.51.400(~~(+5)~~) (4) (as  
10 recodified by this act), and shall be for the confidential usage of  
11 governmental agencies as provided in RCW (~~(88.12.140)~~) 88.12.165 (as  
12 recodified by this act).

13 **Sec. 1504.** RCW 88.12.195 and 1993 c 244 s 20 are each amended to  
14 read as follows:

15 Such notice as is required by RCW 88.12.185 (as recodified by this  
16 act) shall be given personally, or in writing; if in writing, it shall  
17 be served upon the owner, or may be sent by mail to the post office  
18 where such owner usually receives his or her letters. Such notice  
19 shall inform the party where the vessel was taken up, and where it may  
20 be found, and what amount the taker-up or finder demands for his or her  
21 charges.

22 **Sec. 1505.** RCW 88.12.205 and 1993 c 244 s 21 are each amended to  
23 read as follows:

24 (1) In all cases where the notice required by RCW 88.12.185 (as  
25 recodified by this act) is not given personally, it shall be the duty  
26 of the taker-up to post up at the post office nearest the place where  
27 such vessel may be taken up, a written notice of the taking up of such  
28 vessel(~~(, which)~~). The written notice shall contain a description of  
29 the (~~(same)) vessel, with the name, if any is painted thereon, also the~~  
30 place where taken up, the place where the property may be found, and  
31 the charge for taking the same up.

32 (2) If the taker-up is traveling upon waters of the state, such  
33 notice shall additionally be posted up at the first post office he or  
34 she shall pass after the taking up(~~(and)~~).

35 (3) In all cases, (~~(he or she)~~) the person who took up the vessel  
36 shall at the time when, and place where, he or she posts up such  
37 notice, also mail a copy of such notice, directed to the postmaster of

1 each post office on waters of the state, and within fifty miles of the  
2 place where such vessel is taken up.

3 **Sec. 1506.** RCW 88.12.295 and 1989 c 393 s 1 are each amended to  
4 read as follows:

5 The legislature finds that the waters of Washington state provide  
6 a unique and valuable recreational resource to large and growing  
7 numbers of boaters. Proper stewardship of, and respect for, these  
8 waters requires that, while enjoying them for their scenic and  
9 recreational benefits, boaters must exercise care to assure that such  
10 activities do not contribute to the despoliation of these waters, and  
11 that watercraft be operated in a safe and responsible manner. The  
12 legislature has specifically addressed the topic of access to clean and  
13 safe waterways by requiring the 1987 boating safety study and by  
14 establishing the Puget Sound (~~(water quality authority)~~) action team.

15 The legislature finds that there is a need to educate Washington's  
16 boating community about safe and responsible actions on our waters and  
17 to increase the level and visibility of the enforcement of boating  
18 laws. To address the incidence of fatalities and injuries due to  
19 recreational boating on our state's waters, local and state efforts  
20 directed towards safe boating must be stimulated. To provide for safe  
21 waterways and public enjoyment, portions of the watercraft excise tax  
22 and boat registration fees should be made available for boating safety  
23 and other boating recreation purposes.

24 In recognition of the need for clean waterways, and in keeping with  
25 the Puget Sound action team's water quality (~~(authority's 1987~~  
26 ~~management)~~) work plan, the legislature finds that adequate  
27 opportunities for responsible disposal of boat sewage must be made  
28 available. There is hereby established a five-year initiative to  
29 install sewage pumpout or sewage dump stations at appropriate marinas.

30 To assure the use of these sewage facilities, a boater  
31 environmental education program must accompany the five-year initiative  
32 and continue to educate boaters about boat wastes and aquatic  
33 resources.

34 The legislature also finds that, in light of the increasing numbers  
35 of boaters utilizing state waterways, a program to acquire and develop  
36 sufficient waterway access facilities for boaters must be undertaken.

37 To support boating safety, environmental protection and education,  
38 and public access to our waterways, the legislature declares that a

1 portion of the income from boating-related activities, as specified in  
2 RCW 82.49.030 and 88.02.040, should support these efforts.

3 **Sec. 1507.** RCW 88.12.305 and 1994 c 264 s 81 are each amended to  
4 read as follows:

5 The commission, in consultation with the departments of ecology,  
6 fish and wildlife, natural resources, social and health services, and  
7 the Puget Sound (~~(water quality authority)~~) action team shall conduct  
8 a literature search and analyze pertinent studies to identify areas  
9 which are polluted or environmentally sensitive within the state's  
10 waters. Based on this review the commission shall designate  
11 appropriate areas as polluted or environmentally sensitive, for the  
12 purposes of chapter 393, Laws of 1989 only.

13 **Sec. 1508.** RCW 88.12.365 and 1993 c 244 s 36 are each amended to  
14 read as follows:

15 The commission shall, in consultation with interested parties,  
16 review progress on installation of sewage pumpout and dump units, the  
17 boater environmental education program, and the boating safety program.  
18 (~~(The commission shall report its findings to the legislature by~~  
19 ~~December 1994.)~~)

20 **Sec. 1509.** RCW 88.12.385 and 1989 c 393 s 14 are each amended to  
21 read as follows:

22 The commission shall adopt rules as are necessary to carry out all  
23 sections of (~~(this act)~~) chapter 393, Laws of 1989 except for RCW  
24 (~~(88.12.410,)~~) 88.12.335 (as recodified by this act) and 82.49.030(~~(7~~  
25 ~~and 88.12.450(1))~~). The commission shall comply with all applicable  
26 provisions of chapter 34.05 RCW in adopting the rules.

## 27 **PART XVI**

### 28 **RECODIFICATION**

29 NEW SECTION. **Sec. 1601.** The following sections are recodified as  
30 a new title in the Revised Code of Washington to be codified as Title  
31 79A RCW:

32 RCW 43.51.020

33 RCW 43.51.030

34 RCW 43.51.040

1 RCW 43.51.045  
2 RCW 43.51.046  
3 RCW 43.51.048  
4 RCW 43.51.050  
5 RCW 43.51.052  
6 RCW 43.51.055  
7 RCW 43.51.060  
8 RCW 43.51.061  
9 RCW 43.51.062  
10 RCW 43.51.063  
11 RCW 43.51.065  
12 RCW 43.51.070  
13 RCW 43.51.090  
14 RCW 43.51.100  
15 RCW 43.51.110  
16 RCW 43.51.112  
17 RCW 43.51.1121  
18 RCW 43.51.113  
19 RCW 43.51.114  
20 RCW 43.51.120  
21 RCW 43.51.130  
22 RCW 43.51.140  
23 RCW 43.51.150  
24 RCW 43.51.160  
25 RCW 43.51.170  
26 RCW 43.51.180  
27 RCW 43.51.200  
28 RCW 43.51.210  
29 RCW 43.51.215  
30 RCW 43.51.220  
31 RCW 43.51.235  
32 RCW 43.51.237  
33 RCW 43.51.240  
34 RCW 43.51.250  
35 RCW 43.51.270  
36 RCW 43.51.275  
37 RCW 43.51.285  
38 RCW 43.51.290  
39 RCW 43.51.300

1 RCW 43.51.310  
2 RCW 43.51.320  
3 RCW 43.51.321  
4 RCW 43.51.330  
5 RCW 43.51.340  
6 RCW 43.51.350  
7 RCW 43.51.360  
8 RCW 43.51.365  
9 RCW 43.51.370  
10 RCW 43.51.375  
11 RCW 43.51.380  
12 RCW 43.51.385  
13 RCW 43.51.395  
14 RCW 43.51.400  
15 RCW 43.51.405  
16 RCW 43.51.407  
17 RCW 43.51.409  
18 RCW 43.51.411  
19 RCW 43.51.415  
20 RCW 43.51.417  
21 RCW 43.51.419  
22 RCW 43.51.420  
23 RCW 43.51.430  
24 RCW 43.51.432  
25 RCW 43.51.434  
26 RCW 43.51.436  
27 RCW 43.51.438  
28 RCW 43.51.440  
29 RCW 43.51.442  
30 RCW 43.51.444  
31 RCW 43.51.446  
32 RCW 43.51.448  
33 RCW 43.51.450  
34 RCW 43.51.452  
35 RCW 43.51.454  
36 RCW 43.51.456  
37 RCW 43.51.500  
38 RCW 43.51.510  
39 RCW 43.51.530

1 RCW 43.51.540  
2 RCW 43.51.550  
3 RCW 43.51.560  
4 RCW 43.51.570  
5 RCW 43.51.580  
6 RCW 43.51.590  
7 RCW 43.51.650  
8 RCW 43.51.655  
9 RCW 43.51.660  
10 RCW 43.51.665  
11 RCW 43.51.670  
12 RCW 43.51.675  
13 RCW 43.51.685  
14 RCW 43.51.695  
15 RCW 43.51.700  
16 RCW 43.51.705  
17 RCW 43.51.710  
18 RCW 43.51.715  
19 RCW 43.51.720  
20 RCW 43.51.725  
21 RCW 43.51.730  
22 RCW 43.51.735  
23 RCW 43.51.740  
24 RCW 43.51.745  
25 RCW 43.51.750  
26 RCW 43.51.755  
27 RCW 43.51.760  
28 RCW 43.51.765  
29 RCW 43.51.900  
30 RCW 43.51.910  
31 RCW 43.51.920  
32 RCW 43.51.930  
33 RCW 43.51.940  
34 RCW 43.51.942  
35 RCW 43.51.943  
36 RCW 43.51.944  
37 RCW 43.51.945  
38 RCW 43.51.946  
39 RCW 43.51.947

1 RCW 43.51.948  
2 RCW 43.51.949  
3 RCW 43.51.950  
4 RCW 43.51.951  
5 RCW 43.51.952  
6 RCW 43.51.953  
7 RCW 43.51.954  
8 RCW 43.51.955  
9 RCW 43.51.956  
10 RCW 43.98.010  
11 RCW 43.98.020  
12 RCW 43.98.030  
13 RCW 43.98.040  
14 RCW 43.98.050  
15 RCW 43.98.060  
16 RCW 43.98.070  
17 RCW 43.98.080  
18 RCW 43.98.090  
19 RCW 43.98A.005  
20 RCW 43.98A.010  
21 RCW 43.98A.020  
22 RCW 43.98A.030  
23 RCW 43.98A.040  
24 RCW 43.98A.050  
25 RCW 43.98A.060  
26 RCW 43.98A.070  
27 RCW 43.98A.080  
28 RCW 43.98A.090  
29 RCW 43.98A.100  
30 RCW 43.98A.900  
31 RCW 43.98B.005  
32 RCW 43.98B.010  
33 RCW 43.98B.020  
34 RCW 43.98B.030  
35 RCW 43.98B.900  
36 RCW 43.98B.910  
37 RCW 43.98B.920  
38 RCW 43.99.010  
39 RCW 43.99.020



1 RCW 43.99.025  
2 RCW 43.99.030  
3 RCW 43.99.040  
4 RCW 43.99.050  
5 RCW 43.99.060  
6 RCW 43.99.070  
7 RCW 43.99.080  
8 RCW 43.99.095  
9 RCW 43.99.100  
10 RCW 43.99.110  
11 RCW 43.99.120  
12 RCW 43.99.124  
13 RCW 43.99.126  
14 RCW 43.99.130  
15 RCW 43.99.135  
16 RCW 43.99.142  
17 RCW 43.99.146  
18 RCW 43.99.150  
19 RCW 43.99.170  
20 RCW 43.99.800  
21 RCW 43.99.810  
22 RCW 43.99.820  
23 RCW 43.99.830  
24 RCW 43.99.900  
25 RCW 43.99.910  
26 RCW 67.18.005  
27 RCW 67.18.010  
28 RCW 67.18.020  
29 RCW 67.18.030  
30 RCW 67.18.040  
31 RCW 67.18.050  
32 RCW 67.18.900  
33 RCW 67.32.010  
34 RCW 67.32.020  
35 RCW 67.32.030  
36 RCW 67.32.040  
37 RCW 67.32.050  
38 RCW 67.32.060  
39 RCW 67.32.070

1 RCW 67.32.080  
2 RCW 67.32.090  
3 RCW 67.32.100  
4 RCW 67.32.110  
5 RCW 67.32.130  
6 RCW 67.32.140  
7 RCW 70.88.010  
8 RCW 70.88.020  
9 RCW 70.88.030  
10 RCW 70.88.040  
11 RCW 70.88.050  
12 RCW 70.88.060  
13 RCW 70.88.070  
14 RCW 70.88.080  
15 RCW 70.88.090  
16 RCW 70.88.100  
17 RCW 70.117.010  
18 RCW 70.117.015  
19 RCW 70.117.020  
20 RCW 70.117.025  
21 RCW 70.117.030  
22 RCW 70.117.040  
23 RCW 77.12.720  
24 RCW 77.12.730  
25 RCW 77.12.740  
26 RCW 79.08.102  
27 RCW 79.08.104  
28 RCW 79.08.106  
29 RCW 79.08.1062  
30 RCW 79.08.1064  
31 RCW 79.08.1066  
32 RCW 79.08.1069  
33 RCW 79.08.1072  
34 RCW 79.08.1074  
35 RCW 79.08.1078  
36 RCW 79.08.109  
37 RCW 79.72.010  
38 RCW 79.72.020  
39 RCW 79.72.030

1 RCW 79.72.040  
2 RCW 79.72.050  
3 RCW 79.72.060  
4 RCW 79.72.070  
5 RCW 79.72.080  
6 RCW 79.72.090  
7 RCW 79.72.100  
8 RCW 79.72.900  
9 RCW 88.12.010  
10 RCW 88.12.015  
11 RCW 88.12.020  
12 RCW 88.12.025  
13 RCW 88.12.029  
14 RCW 88.12.032  
15 RCW 88.12.033  
16 RCW 88.12.035  
17 RCW 88.12.045  
18 RCW 88.12.055  
19 RCW 88.12.065  
20 RCW 88.12.075  
21 RCW 88.12.085  
22 RCW 88.12.095  
23 RCW 88.12.105  
24 RCW 88.12.115  
25 RCW 88.12.125  
26 RCW 88.12.135  
27 RCW 88.12.145  
28 RCW 88.12.155  
29 RCW 88.12.165  
30 RCW 88.12.175  
31 RCW 88.12.185  
32 RCW 88.12.195  
33 RCW 88.12.205  
34 RCW 88.12.215  
35 RCW 88.12.218  
36 RCW 88.12.222  
37 RCW 88.12.225  
38 RCW 88.12.227  
39 RCW 88.12.230

1 RCW 88.12.232  
2 RCW 88.12.235  
3 RCW 88.12.245  
4 RCW 88.12.250  
5 RCW 88.12.255  
6 RCW 88.12.260  
7 RCW 88.12.265  
8 RCW 88.12.275  
9 RCW 88.12.276  
10 RCW 88.12.278  
11 RCW 88.12.279  
12 RCW 88.12.285  
13 RCW 88.12.295  
14 RCW 88.12.305  
15 RCW 88.12.315  
16 RCW 88.12.325  
17 RCW 88.12.335  
18 RCW 88.12.345  
19 RCW 88.12.355  
20 RCW 88.12.365  
21 RCW 88.12.375  
22 RCW 88.12.385  
23 RCW 88.12.500  
24 RCW 88.12.505  
25 RCW 88.27.010  
26 RCW 88.27.020  
27 RCW 88.27.030  
28 RCW 88.27.040  
29 RCW 88.27.050  
30 RCW 88.27.900  
31 RCW 90.56.090

32  
33

**PART XVII**  
**REPEALED SECTIONS**

34 NEW SECTION. **Sec. 1701.** The following acts or parts of acts are  
35 each repealed:

36 (1) RCW 43.51.010 (Definitions) and 1965 c 8 s 43.51.010;

1 (2) RCW 79.08.108 (Exchange of lands to secure state park lands)  
2 and 1988 c 128 s 61 & 1953 c 96 s 1;

3 (3) RCW 43.51.047 (Sale of timber) and 1995 c 211 s 2 & 1984 c 82  
4 s 3;

5 (4) RCW 43.51.080 (Parks in island counties) and 1965 c 8 s  
6 43.51.080;

7 (5) RCW 43.51.545 (Compensation--Biweekly payment of compensation  
8 authorized) and 1965 ex.s. c 48 s 3;

9 (6) RCW 43.51.260 (Acquisition of Wallace Falls property  
10 authorized) and 1969 c 41 s 1 & 1965 c 146 s 2;

11 (7) RCW 43.51.355 (Authority of commission to implement RCW  
12 43.51.350) and 1977 ex.s. c 266 s 2;

13 (8) RCW 43.51.230 (Lease with option to purchase parental school  
14 facilities) and 1965 c 8 s 43.51.230; and

15 (9) RCW 88.12.395 (Committee to adopt rules) and 1989 c 393 s 15.

16 **PART XVIII**

17 **CODIFICATION DIRECTIVE**

18 NEW SECTION. **Sec. 1801.** Sections 101, 301, 401, 701, 907, and 908  
19 of this act are each added to Title 79A RCW, created in section 1601 of  
20 this act.

21 **PART XIX**

22 **SEVERABILITY**

23 NEW SECTION. **Sec. 1901.** If any provision of this act or its  
24 application to any person or circumstance is held invalid, the  
25 remainder of the act or the application of the provision to other  
26 persons or circumstances is not affected."

27 **SSB 5179** - H COMM AMD

28 By Committee on Natural Resources

29

30 On page 1, line 2 of the title, after "commission;" strike the  
31 remainder of the title and insert "amending RCW 43.51.020, 43.51.030,  
32 43.51.040, 43.51.045, 43.51.046, 43.51.055, 43.51.061, 43.51.060,  
33 43.51.052, 46.61.587, 7.84.010, 7.84.020, 43.51.210, 43.220.160,

1 79.72.020, 79.72.030, 79.72.040, 79.72.050, 79.72.070, 43.51.070,  
2 43.51.110, 43.51.140, 43.51.220, 43.51.237, 43.51.270, 43.51.948,  
3 43.51.720, 43.51.730, 43.51.750, 43.51.510, 43.51.540, 43.51.432,  
4 88.12.015, 88.12.165, 88.12.175, 88.12.195, 88.12.205, 88.12.295,  
5 88.12.305, 88.12.365, and 88.12.385; reenacting and amending RCW  
6 43.51.290; adding a new title to the Revised Code of Washington to be  
7 codified as Title 79A RCW; recodifying RCW 43.51.020, 43.51.030,  
8 43.51.040, 43.51.045, 43.51.046, 43.51.048, 43.51.050, 43.51.052,  
9 43.51.055, 43.51.060, 43.51.061, 43.51.062, 43.51.063, 43.51.065,  
10 43.51.070, 43.51.090, 43.51.100, 43.51.110, 43.51.112, 43.51.1121,  
11 43.51.113, 43.51.114, 43.51.120, 43.51.130, 43.51.140, 43.51.150,  
12 43.51.160, 43.51.170, 43.51.180, 43.51.200, 43.51.210, 43.51.215,  
13 43.51.220, 43.51.235, 43.51.237, 43.51.240, 43.51.250, 43.51.270,  
14 43.51.275, 43.51.285, 43.51.290, 43.51.300, 43.51.310, 43.51.320,  
15 43.51.321, 43.51.330, 43.51.340, 43.51.350, 43.51.360, 43.51.365,  
16 43.51.370, 43.51.375, 43.51.380, 43.51.385, 43.51.395, 43.51.400,  
17 43.51.405, 43.51.407, 43.51.409, 43.51.411, 43.51.415, 43.51.417,  
18 43.51.419, 43.51.420, 43.51.430, 43.51.432, 43.51.434, 43.51.436,  
19 43.51.438, 43.51.440, 43.51.442, 43.51.444, 43.51.446, 43.51.448,  
20 43.51.450, 43.51.452, 43.51.454, 43.51.456, 43.51.500, 43.51.510,  
21 43.51.530, 43.51.540, 43.51.550, 43.51.560, 43.51.570, 43.51.580,  
22 43.51.590, 43.51.650, 43.51.655, 43.51.660, 43.51.665, 43.51.670,  
23 43.51.675, 43.51.685, 43.51.695, 43.51.700, 43.51.705, 43.51.710,  
24 43.51.715, 43.51.720, 43.51.725, 43.51.730, 43.51.735, 43.51.740,  
25 43.51.745, 43.51.750, 43.51.755, 43.51.760, 43.51.765, 43.51.900,  
26 43.51.910, 43.51.920, 43.51.930, 43.51.940, 43.51.942, 43.51.943,  
27 43.51.944, 43.51.945, 43.51.946, 43.51.947, 43.51.948, 43.51.949,  
28 43.51.950, 43.51.951, 43.51.952, 43.51.953, 43.51.954, 43.51.955,  
29 43.51.956, 43.98.010, 43.98.020, 43.98.030, 43.98.040, 43.98.050,  
30 43.98.060, 43.98.070, 43.98.080, 43.98.090, 43.98A.005, 43.98A.010,  
31 43.98A.020, 43.98A.030, 43.98A.040, 43.98A.050, 43.98A.060, 43.98A.070,  
32 43.98A.080, 43.98A.090, 43.98A.100, 43.98A.900, 43.98B.005, 43.98B.010,  
33 43.98B.020, 43.98B.030, 43.98B.900, 43.98B.910, 43.98B.920, 43.99.010,  
34 43.99.020, 43.99.025, 43.99.030, 43.99.040, 43.99.050, 43.99.060,  
35 43.99.070, 43.99.080, 43.99.095, 43.99.100, 43.99.110, 43.99.120,  
36 43.99.124, 43.99.126, 43.99.130, 43.99.135, 43.99.142, 43.99.146,  
37 43.99.150, 43.99.170, 43.99.800, 43.99.810, 43.99.820, 43.99.830,  
38 43.99.900, 43.99.910, 67.18.005, 67.18.010, 67.18.020, 67.18.030,  
39 67.18.040, 67.18.050, 67.18.900, 67.32.010, 67.32.020, 67.32.030,

1 67.32.040, 67.32.050, 67.32.060, 67.32.070, 67.32.080, 67.32.090,  
2 67.32.100, 67.32.110, 67.32.130, 67.32.140, 70.88.010, 70.88.020,  
3 70.88.030, 70.88.040, 70.88.050, 70.88.060, 70.88.070, 70.88.080,  
4 70.88.090, 70.88.100, 70.117.010, 70.117.015, 70.117.020, 70.117.025,  
5 70.117.030, 70.117.040, 77.12.720, 77.12.730, 77.12.740, 79.08.102,  
6 79.08.104, 79.08.106, 79.08.1062, 79.08.1064, 79.08.1066, 79.08.1069,  
7 79.08.1072, 79.08.1074, 79.08.1078, 79.08.109, 79.72.010, 79.72.020,  
8 79.72.030, 79.72.040, 79.72.050, 79.72.060, 79.72.070, 79.72.080,  
9 79.72.090, 79.72.100, 79.72.900, 88.12.010, 88.12.015, 88.12.020,  
10 88.12.025, 88.12.029, 88.12.032, 88.12.033, 88.12.035, 88.12.045,  
11 88.12.055, 88.12.065, 88.12.075, 88.12.085, 88.12.095, 88.12.105,  
12 88.12.115, 88.12.125, 88.12.135, 88.12.145, 88.12.155, 88.12.165,  
13 88.12.175, 88.12.185, 88.12.195, 88.12.205, 88.12.215, 88.12.218,  
14 88.12.222, 88.12.225, 88.12.227, 88.12.230, 88.12.232, 88.12.235,  
15 88.12.245, 88.12.250, 88.12.255, 88.12.260, 88.12.265, 88.12.275,  
16 88.12.276, 88.12.278, 88.12.279, 88.12.285, 88.12.295, 88.12.305,  
17 88.12.315, 88.12.325, 88.12.335, 88.12.345, 88.12.355, 88.12.365,  
18 88.12.375, 88.12.385, 88.12.500, 88.12.505, 88.27.010, 88.27.020,  
19 88.27.030, 88.27.040, 88.27.050, 88.27.900, and 90.56.090; repealing  
20 RCW 43.51.010, 79.08.108, 43.51.047, 43.51.080, 43.51.545, 43.51.260,  
21 43.51.355, 43.51.230, and 88.12.395; and prescribing penalties."

--- END ---