
HOUSE BILL 2664

State of Washington

57th Legislature

2002 Regular Session

By Representatives Rockefeller, Upthegrove, Chase, Conway, Romero, Miloscia, Kagi and McDermott

Read first time 01/23/2002. Referred to Committee on Natural Resources.

1 AN ACT Relating to creating the Washington wildlife conservation
2 foundation; and adding a new chapter to Title 77 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the wildlife
5 resources of the state are highly valued. The programs, activities,
6 and policies of the state that preserve, protect, and manage wildlife
7 and provide public access for viewing and for hunting are critical to
8 the resource. The abundance of wildlife and conditions for wildlife
9 could be further improved by the establishment of a nonprofit wildlife
10 conservation foundation. It is the intent of the legislature to
11 protect and enhance the wildlife conservation capabilities of the
12 state, to increase the abundance of wildlife, and to ensure the
13 stability of wildlife populations through private benefactors
14 contributing to a nonprofit wildlife conservation foundation.

15 Providing a tax-deductible method for individuals and groups to
16 contribute in this manner would benefit the wildlife of the state.
17 Several states have created nonprofit wildlife conservation foundations
18 that are successful in raising millions of dollars every year for the
19 stewardship of wildlife resources. Therefore, the legislature finds

1 that it is in the public interest to create a nonprofit foundation for
2 the purpose of increasing funds available for the preservation,
3 protection, and management of the state's wildlife.

4 NEW SECTION. **Sec. 2.** The definitions in this section apply
5 throughout this chapter, unless the context clearly requires otherwise.

6 (1) "Foundation" means the Washington wildlife conservation
7 foundation created in section 3 of this act.

8 (2) "Board" means the Washington wildlife conservation foundation
9 board of directors created in section 5 of this act.

10 NEW SECTION. **Sec. 3.** The board shall file articles of
11 incorporation in accordance with the Washington nonprofit corporation
12 act, chapter 24.03 RCW, to establish the Washington wildlife
13 conservation foundation. The foundation shall not be an agency,
14 instrumentality, or political subdivision of the state.

15 NEW SECTION. **Sec. 4.** The purpose of the foundation is to:

16 (1) Improve the abundance and conditions for wildlife within the
17 state while working in concert with the charitable, educational,
18 scientific, and recreational programs, projects, and policies of the
19 state;

20 (2) Solicit and accept aid or contributions consistent with the
21 stated intent of the donor and the goals of the foundation;

22 (3) Solicit and accept grants for the acquisition, construction,
23 improvement, and development of state agency projects;

24 (4) Solicit and accept private funding and donations that assist in
25 enhancing and preserving Washington's wildlife species and the habitats
26 upon which they depend.

27 NEW SECTION. **Sec. 5.** (1) The foundation shall have a board of
28 directors consisting of nine members. The fish and wildlife commission
29 must appoint nine members to the board by September 1, 2002. No member
30 of the board may be an active state employee.

31 (2) No member of the board may receive compensation or a per diem.

32 (3) Members shall serve four-year terms. Of the initial members,
33 one must be appointed for a one-year term, one must be appointed for a
34 two-year term, one must be appointed for a three-year term, and the
35 remainder must be appointed for a four-year term. Members of the board

1 may serve up to a maximum of three terms. At the end of a term, a
2 member may continue to serve until a successor has been appointed.

3 (4) The board shall meet and organize, and may designate by a
4 majority vote a treasurer, secretary, or any additional officers needed
5 to carry out the activities of the foundation. The board shall adopt
6 bylaws of the foundation.

7 NEW SECTION. **Sec. 6.** The foundation may accept gifts or grants
8 from any governmental agency or from any person, firm, or corporation.
9 The foundation may expend receipts on activities consistent with the
10 purposes of the foundation in section 4 of this act, and in a manner
11 consistent with any requirement of the grant, gift, or bequest.

12 Funds collected by the foundation shall be considered private funds
13 and shall be held in an appropriate account outside of the state
14 treasury. The foundation may contract with the state auditor or with
15 a private auditor for an audit of funds. The foundation and its
16 officers are responsible for the approval and recording of receipts,
17 approval of payments, and the proper filing of required reports. Funds
18 provided by the foundation may not be used to supplant any local,
19 state, or federal funding source.

20 NEW SECTION. **Sec. 7.** The foundation must comply with the
21 requirements of the open public meetings act, chapter 42.30 RCW.

22 NEW SECTION. **Sec. 8.** If any provision of this act or its
23 application to any person or circumstance is held invalid, the
24 remainder of the act or the application of the provision to other
25 persons or circumstances is not affected.

26 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act constitute
27 a new chapter in Title 77 RCW.

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