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**SENATE BILL 5109**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senators T. Sheldon, Hargrove, Finkbeiner, Johnson and Stevens

Read first time 01/11/2001. Referred to Committee on Natural Resources, Parks & Shorelines.

1 AN ACT Relating to prohibiting the assessment of fees for basic  
2 parkland access by the state parks and recreation commission;  
3 amending RCW 79A.05.070; and declaring an emergency.

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

5 **Sec. 1.** RCW 79A.05.070 and 1999 c 249 s 307 are each amended to  
6 read as follows:

7 The commission may:

8 (1) Make rules and regulations for the proper administration of  
9 its duties;

10 (2) Accept any grants of funds made with or without a matching  
11 requirement by the United States, or any agency thereof, for  
12 purposes in keeping with the purposes of this chapter; accept  
13 gifts, bequests, devises and endowments for purposes in keeping  
14 with such purposes; enter into cooperative agreements with and  
15 provide for private nonprofit groups to use state park property  
16 and facilities to raise money to contribute gifts, grants, and  
17 support to the commission for the purposes of this chapter. The  
18 commission may assist the nonprofit group in a cooperative effort

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

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

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

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

22 (6) Charge such fees for services, utilities, and use of  
23 facilities as the commission shall deem proper, except that the  
24 commission shall not charge fees for basic parkland access;

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

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

35 (9) Without being limited to the powers hereinbefore  
36 enumerated, the commission shall have such other powers as in the  
37 judgment of a majority of its members are deemed necessary to  
38 effectuate the purposes of this chapter: PROVIDED, That the

1 commission shall not have power to supervise directly any local  
2 park or recreation district, and no funds shall be made available  
3 for such purpose.

4 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
5 preservation of the public peace, health, or safety, or support of  
6 the state government and its existing public institutions, and  
7 takes effect immediately.

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