
SENATE BILL 5295

State of Washington

57th Legislature

2001 Regular Session

By Senators Jacobsen, Swecker, Regala, Haugen and Oke

Read first time 01/18/2001. Referred to Committee on Natural Resources, Parks & Shorelines.

1 AN ACT Relating to creating the Washington wildlife
2 conservation 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
7 wildlife are critical to the perpetuation of the resource. The
8 abundance of wildlife and conditions for wildlife could be further
9 improved by the establishment of a nonprofit wildlife conservation
10 foundation. It is the intent of the legislature to protect and
11 enhance the wildlife conservation capabilities of the state, to
12 increase the abundance of wildlife, and to ensure the stability of
13 wildlife populations through private benefactors contributing to a
14 nonprofit wildlife conservation foundation.

15 There are individuals and groups who desire to contribute to
16 the preservation, protection, and management of wildlife. Providing
17 a tax-deductible method for individuals and groups to contribute
18 in this manner would benefit the wildlife of the state. Several

1 states have created nonprofit wildlife conservation foundations
2 that are successful in raising millions of dollars every year for
3 the stewardship of wildlife resources. Therefore, the legislature
4 finds that it is in the public interest to create a nonprofit
5 foundation for the purpose of increasing funds available for the
6 preservation, protection, and management of the state's wildlife.

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

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

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

14 NEW SECTION. **Sec. 3.** The director shall file articles of
15 incorporation in accordance with the Washington nonprofit
16 corporation act, chapter 24.03 RCW, to establish the Washington
17 wildlife conservation foundation. The foundation shall not be an
18 agency, instrumentality, or political subdivision of the state and
19 shall not disburse public funds.

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

21 (1) Improve the abundance and conditions for wildlife within
22 the state while working in concert with the charitable,
23 educational, scientific, and recreational programs, projects, and
24 policies of the state;

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

27 (3) Solicit and accept grants for the acquisition,
28 construction, improvement, and development of potential foundation
29 projects;

30 (4) Solicit and accept private funding and donations that
31 assist in enhancing and preserving Washington's wildlife species
32 and the habitats upon which they depend;

33 (5) Engage generally in other activities consistent with the
34 lawful business of the foundation.

35

1 NEW SECTION. **Sec. 5.** (1) The foundation shall have a board of
2 directors consisting of nine members. The fish and wildlife
3 commission must appoint nine members to the board by September 1,
4 2001. No member of the board may be a state employee.

5 (2) No member of the board may receive compensation for his or
6 her services to the foundation.

7 (3) Members shall serve four-year terms. Of the initial members,
8 one must be appointed for a one-year term, one must be appointed
9 for a two-year term, one must be appointed for a three-year term,
10 and the remainder must be appointed for a four-year term. Members
11 of the board may serve up to a maximum of three terms. At the end
12 of a term, a member may continue to serve until a successor has
13 been appointed.

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

18 NEW SECTION. **Sec. 6.** The foundation may accept gifts or grants
19 from any governmental agency including the federal government, its
20 agencies or officers, or from any person, firm, or corporation. The
21 foundation may expend receipts on activities consistent with the
22 purposes of the foundation in section 4 of this act, and in a
23 manner consistent with any requirement of the grant, gift, or
24 bequest.

25 Funds collected by the foundation shall be considered private
26 funds and shall be held in an appropriate account outside of the
27 state treasury. The foundation may contract with the state auditor
28 or with a private auditor for an audit of funds. The foundation and
29 its officers are responsible for the approval and recording of
30 receipts, approval of payments, and the proper filing of required
31 reports. Funds provided by the foundation may not be used to
32 supplant any local, state, or federal funding source.

33 NEW SECTION. **Sec. 7.** If any provision of this act or its
34 application to any person or circumstance is held invalid, the
35 remainder of the act or the application of the provision to other
36 persons or circumstances is not affected.

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2 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act
3 constitute a new chapter in Title 77 RCW.

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