

ESSB 6386 - H AMD TO APP COMM AMD (H-5297.5/06) **988**
By Representative Kessler

ADOPTED 2/24/2006

1 On page 130, beginning on line 36, strike all of subsection (5)
2 and insert the following:

3 "(5) Until July 1, 2007, the commission may not charge fees for
4 general park access or parking. Funding of \$2,800,000 of the
5 general fund--state appropriation for fiscal year 2007 is provided
6 solely to compensate state parks and recreation commission for lost
7 revenue from general park access or parking fees."

8 On page 255, after line 6, insert the following:

9 "NEW SECTION. Sec. 904. RCW 79A.05.070 and 2003 c 186 s 1 are
10 each amended to read as follows:

11 The commission may:

12 (1) Make rules and regulations for the proper administration of
13 its duties;

14 (2) Accept any grants of funds made with or without a matching
15 requirement by the United States, or any agency thereof, for
16 purposes in keeping with the purposes of this chapter; accept
17 gifts, bequests, devises and endowments for purposes in keeping
18 with such purposes; enter into cooperative agreements with and
19 provide for private nonprofit groups to use state park property and
20 facilities to raise money to contribute gifts, grants, and support
21 to the commission for the purposes of this chapter. The commission
22 may assist the nonprofit group in a cooperative effort by providing
23 necessary agency personnel and services, if available. However,
24 none of the moneys raised may inure to the benefit of the nonprofit
25 group, except in furtherance of its purposes to benefit the
26 commission as provided in this chapter. The agency and the private
27 nonprofit group shall agree on the nature of any project to be
28 supported by such gift or grant prior to the use of any agency

1 property or facilities for raising money. Any such gifts may be in
2 the form of recreational facilities developed or built in part or
3 in whole for public use on agency property, provided that the
4 facility is consistent with the purposes of the agency;

5 (3) Require certification by the commission of all parks and
6 recreation workers employed in state aided or state controlled
7 programs;

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

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

15 (6) Charge such fees for services, utilities, and use of
16 facilities as the commission shall deem proper. Until July 1, 2007,
17 the commission may not charge fees for general park access or
18 parking;

19 (7) Enter into agreements whereby individuals or companies may
20 rent undeveloped parks or parkway land for grazing, agricultural,
21 or mineral development purposes upon such terms and conditions as
22 the commission shall deem proper, for a term not to exceed forty
23 years;

24 (8) Determine the qualifications of and employ a director of
25 parks and recreation who shall receive a salary as fixed by the
26 governor in accordance with the provisions of RCW 43.03.040 and
27 determine the qualifications and salary of and employ such other
28 persons as may be needed to carry out the provisions hereof; and

29 (9) Without being limited to the powers hereinbefore
30 enumerated, the commission shall have such other powers as in the
31 judgment of a majority of its members are deemed necessary to
32 effectuate the purposes of this chapter: PROVIDED, That the
33 commission shall not have power to supervise directly any local
34 park or recreation district, and no funds shall be made available
35 for such purpose."

36 Renumber the remaining sections consecutively.

EFFECT: Prohibits the State Parks and Recreation Commission from charging a fee for parking or for general park access. Removes proviso language from State Parks and Recreation Commission's budget that limits appropriation of \$2,800,000 in fiscal year 2007 to enactment of Substitute House Bill 2416 (state park fees).

FISCAL IMPACT: None.