

**SHB 2339** - H AMD 796

By Representative McCune

NOT ADOPTED 4/20/2009

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.05  
4 RCW to read as follows:

5 (1) The commission shall attempt to recruit and maintain  
6 volunteers to serve as park hosts in all state parks. It is the goal  
7 of the commission to have volunteer park hosts available at each state  
8 park for at least eight hours of every day that the park is open. The  
9 commission shall report to the appropriate committees of the  
10 legislature by the end of each odd-numbered year regarding the state  
11 parks where this goal was not met and a summary of recruiting efforts  
12 conducted by the commission to meet the goal.

13 (2) Volunteer park hosts have the following responsibilities and  
14 duties:

15 (a) Solicit voluntary donations from park guests, including the  
16 provision of any pertinent information regarding the tax benefits of  
17 donations to state parks;

18 (b) Assist with visitor services, such as greeting guests,  
19 answering questions, and dispensing information;

20 (c) Conduct minor concessions at the park; and

21 (d) Perform minor maintenance of the park facilities.

22 (3) The commission shall, in state parks that are not staffed by  
23 volunteer park hosts, utilize unmanned donation collection boxes to  
24 solicit voluntary donations from park guests. The commission may use  
25 unmanned voluntary collection boxes in state parks staffed by  
26 volunteer park hosts.

27

1 (4) All donations collected under this section must be deposited  
2 into the state parks renewal and stewardship account established in  
3 RCW 79A.05.215.

4 (5) The commission shall not charge volunteer park hosts for  
5 camping, boat moorage, utility hookups, or other fees charged for the  
6 use of state parks and state parks facilities. The commission may  
7 establish minimum hourly commitments necessary for volunteer park  
8 hosts to qualify for fee waivers.

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10 **Sec. 2.** RCW 79A.05.030 and 2005 c 373 s 1 and 2005 c 360 s 5 are  
11 each reenacted and amended to read as follows:

12 The commission shall:

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

16 (2) Adopt policies, and adopt, issue, and enforce rules pertaining  
17 to the use, care, and administration of state parks and parkways. The  
18 commission shall cause a copy of the rules to be kept posted in a  
19 conspicuous place in every state park to which they are applicable,  
20 but failure to post or keep any rule posted shall be no defense to any  
21 prosecution for the violation thereof.

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

24 (4) Clear, drain, grade, seed, and otherwise improve or beautify  
25 parks and parkways, and erect structures, buildings, fireplaces, and  
26 comfort stations and build and maintain paths, trails, and roadways  
27 through or on parks and parkways.

28 (5) Grant concessions or leases in state parks and parkways, upon  
29 such rentals, fees, or percentage of income or profits and for such  
30 terms, in no event longer than fifty years, and upon such conditions  
31 as shall be approved by the commission: PROVIDED, That leases  
32 exceeding a twenty-year term shall require a unanimous vote of the  
33 commission: PROVIDED FURTHER, That if, during the term of any  
34 concession or lease, it is the opinion of the commission that it would

1 be in the best interest of the state, the commission may, with the  
2 consent of the concessionaire or lessee, alter and amend the terms and  
3 conditions of such concession or lease: PROVIDED FURTHER, That  
4 television station leases shall be subject to the provisions of RCW  
5 79A.05.085, only: PROVIDED FURTHER, That the rates of such  
6 concessions or leases shall be renegotiated at five-year intervals.  
7 No concession shall be granted which will prevent the public from  
8 having free access to the scenic attractions of any park or parkway.

9 (6) Employ such assistance as it deems necessary and recruit  
10 volunteer assistance as required by section 1 of this act. Commission  
11 expenses relating to its use of volunteer assistance shall be limited  
12 to premiums or assessments for the insurance of volunteers by the  
13 department of labor and industries, compensation of staff who assist  
14 volunteers, materials and equipment used in authorized volunteer  
15 projects, training, reimbursement of volunteer travel as provided in  
16 RCW 43.03.050 and 43.03.060, and other reasonable expenses relating to  
17 volunteer recognition. The commission(~~(, at its discretion, may)~~)  
18 shall waive commission fees ((~~otherwise applicable to volunteers~~)) for  
19 volunteer park hosts recruited under section 1 of this act and may  
20 waive fees for other park volunteers. The commission shall not use  
21 volunteers, other than volunteer park hosts recruited under section 1  
22 of this act, to replace or supplant classified positions. The use of  
23 volunteers, other than volunteer park hosts recruited under section 1  
24 of this act, may not lead to the elimination of any employees or  
25 permanent positions in the bargaining unit.

26 (7) By majority vote of its authorized membership select and  
27 purchase or obtain options upon, lease, or otherwise acquire for and  
28 in the name of the state such tracts of land, including shore and tide  
29 lands, for park and parkway purposes as it deems proper. If the  
30 commission cannot acquire any tract at a price it deems reasonable, it  
31 may, by majority vote of its authorized membership, obtain title  
32 thereto, or any part thereof, by condemnation proceedings conducted by  
33 the attorney general as provided for the condemnation of rights-of-way  
34

1 for state highways. Option agreements executed under authority of  
2 this subsection shall be valid only if:

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

5 (b) Moneys used for the purchase of the option agreement are from  
6 (i) funds appropriated therefor, or (ii) funds appropriated for  
7 undesignated land acquisitions, or (iii) funds deemed by the  
8 commission to be in excess of the amount necessary for the purposes  
9 for which they were appropriated; and

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

12 (8) Cooperate with the United States, or any county or city of  
13 this state, in any matter pertaining to the acquisition, development,  
14 redevelopment, renovation, care, control, or supervision of any park  
15 or parkway, and enter into contracts in writing to that end. All  
16 parks or parkways, to which the state contributed or in whose care,  
17 control, or supervision the state participated pursuant to the  
18 provisions of this section, shall be governed by the provisions  
19 hereof.

20 (9) Within allowable resources, maintain policies that increase  
21 the number of people who have access to free or low-cost recreational  
22 opportunities for physical activity, including noncompetitive physical  
23 activity.

24 (10) Adopt rules establishing the requirements for a criminal  
25 history record information search for the following: Job applicants,  
26 volunteer park hosts and other park volunteers, and independent  
27 contractors who have unsupervised access to children or vulnerable  
28 adults, or who will be responsible for collecting or disbursing cash  
29 or processing credit/debit card transactions. These background checks  
30 will be done through the Washington state patrol criminal  
31 identification section and may include a national check from the  
32 federal bureau of investigation, which shall be through the submission  
33 of fingerprints. A permanent employee of the commission, employed as  
34 of July 24, 2005, is exempt from the provisions of this subsection.

1       **Sec. 3.** RCW 79A.05.215 and 2007 c 340 s 2 are each amended to  
2 read as follows:

3       The state parks renewal and stewardship account is created in the  
4 state treasury. Except as otherwise provided in this chapter, all  
5 receipts from user fees, concessions, leases, donations collected  
6 under RCW 46.16.076 and section 1 of this act, and other state park-  
7 based activities shall be deposited into the account. Expenditures  
8 from the account may be used for operating state parks, developing and  
9 renovating park facilities, undertaking deferred maintenance,  
10 enhancing park stewardship, and other state park purposes.  
11 Expenditures from the account may be made only after appropriation by  
12 the legislature."

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14       Correct the title.

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18       **EFFECT:** Removes the underlying text and replaces it with  
19 direction to the State Parks and Recreation Commission to recruit  
20 and maintain volunteers to serve as park hosts in all state parks;  
21 empowers park hosts to solicit voluntary donations from park  
22 guests, assist with visitor services, conduct minor concessions  
23 at the park, and perform minor maintenance of the park facilities;  
24 requires the use of unmanned collection boxes at locations without  
25 park hosts, requires the Parks and Recreation Commission to waive  
26 fees for park hosts, and allows park hosts to replace  
27 classified positions.

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