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HOUSE BILL 2333

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State of Washington

61st Legislature

2009 Regular Session

By Representatives McCune, Hinkle, Shea, Short, Warnick, Johnson, and Smith

Read first time 04/02/09. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to volunteer state parks hosts; amending RCW  
2 79A.05.215; reenacting and amending RCW 79A.05.030; and adding a new  
3 section to chapter 79A.05 RCW.

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

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

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

15 (2) Volunteer park hosts have the following responsibilities and  
16 duties:

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

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

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

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

5 (3) The commission shall, in state parks that are not staffed by  
6 volunteer park hosts, utilize unmanned donation collection boxes to  
7 solicit voluntary donations from park guests. The commission may use  
8 unmanned voluntary collection boxes in state parks staffed by volunteer  
9 park hosts.

10 (4) All donations collected under this section must be deposited  
11 into the state parks renewal and stewardship account established in RCW  
12 79A.05.215.

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

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

20 The commission shall:

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

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

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

32 (4) Clear, drain, grade, seed, and otherwise improve or beautify  
33 parks and parkways, and erect structures, buildings, fireplaces, and  
34 comfort stations and build and maintain paths, trails, and roadways  
35 through or on parks and parkways.

36 (5) Grant concessions or leases in state parks and parkways, upon  
37 such rentals, fees, or percentage of income or profits and for such

1 terms, in no event longer than fifty years, and upon such conditions as  
2 shall be approved by the commission: PROVIDED, That leases exceeding  
3 a twenty-year term shall require a unanimous vote of the commission:  
4 PROVIDED FURTHER, That if, during the term of any concession or lease,  
5 it is the opinion of the commission that it would be in the best  
6 interest of the state, the commission may, with the consent of the  
7 concessionaire or lessee, alter and amend the terms and conditions of  
8 such concession or lease: PROVIDED FURTHER, That television station  
9 leases shall be subject to the provisions of RCW 79A.05.085, only:  
10 PROVIDED FURTHER, That the rates of such concessions or leases shall be  
11 renegotiated at five-year intervals. No concession shall be granted  
12 which will prevent the public from having free access to the scenic  
13 attractions of any park or parkway.

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

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

1 the attorney general as provided for the condemnation of rights-of-way  
2 for state highways. Option agreements executed under authority of this  
3 subsection shall be valid only if:

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

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

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

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

20 (9) Within allowable resources, maintain policies that increase the  
21 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 or  
29 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.

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

37 The state parks renewal and stewardship account is created in the

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

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