

HB 2226 - H AMD 652

By Representative Jenkins

1 On page 3, after line 4, strike all material through "extended." on
2 line 24 and insert the following:

3 "(1) The commission, in consultation with the department of
4 archaeology and historic preservation, may permit commercial
5 advertising on or in state parks lands and buildings when all the
6 following conditions and standards are met with regard to the
7 commercial advertising:

8 (a) It conforms to the United States secretary of the interior's
9 standards for the treatment of historic properties when applied to
10 advertising affecting historic structures, cultural and historic
11 landscapes, and archaeological sites;

12 (b) It does not detract from the integrity of the park's natural,
13 cultural, historic, and recreational resources and outstanding scenic
14 view sheds;

15 (c) It does not create a potential conflict of interest because of
16 the commercial or corporate entity's regulatory or business
17 relationships with the commission; and

18 (d) It will acknowledge individuals and organizations that are
19 donors or sponsors of park events or projects or support the
20 sustainability of park concessionaires, lessees, or service providers.

21 (2) The commission is encouraged to use its advertising authority
22 to promote:

23 (a) Community economic development near state parks;

24 (b) Wellness, healthy food options, healthy behaviors, and any
25 other public health goals or principles adopted by the state; and

26 (c) Park visitor awareness of services and activities within and
27 near each park.

28 (3) The commission shall adopt standards for advertising, naming,
29 product placement, and other forms of commercial recognition that
30 require the commission to define and prohibit, at minimum, the
31 following:

- 1 (a) Obscene, indecent, or discriminatory content;
2 (b) Political or public issue advocacy content;
3 (c) Products, services, or other materials that are offensive,
4 insulting, disparaging, or degrading; or
5 (d) Products, services, or messages that are contrary to the public
6 interest, including any advertisement that encourages or depicts unsafe
7 behaviors or encourages unsafe or prohibited recreation activities.
8 Tobacco and cannabis must be included among the products prohibited
9 under this subsection (3)(d).

10 (4) Notwithstanding subsection (1) of this section, commercial
11 advertising, including product placement, is permitted on commission
12 web sites, electronic social media, and printed materials within or
13 outside of state parks.

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

16 (1) When entering into any agreement under RCW 79A.05.345 or
17 otherwise involving the management of state park land or a facility by
18 a public or private partner, the commission shall consider, when
19 appropriate:

20 (a) If the entity has an adequate source of available funding to
21 assume the financial responsibilities of the agreement;

22 (b) If the entity has sufficient expertise to assume the scope of
23 responsibilities of the agreement;

24 (c) If the agreement results in net financial benefits to the
25 state; and

26 (d) If the agreement results in advancement of the commission's
27 public purpose.

28 (2) Any agreement subject to this section must include specific
29 performance measures. The performance measures must cover, but are not
30 limited to, the entity's ability to manage financial operating costs,
31 to adequately perform management responsibilities, and to address and
32 respond to public concerns. The agreement must provide that failure to
33 meet any performance measure may lead to the termination of the
34 contract or requirements for remedial action to be taken before the
35 agreement may be extended.

36 (3) The commission's authority to enter into agreements under this

1 section, section 4 of this act, or RCW 79A.05.345 does not include the
2 ability to rename any state park after a corporate or commercial
3 entity, product, or service."

4 Renumber the remaining sections consecutively, correct any internal
5 references accordingly, and correct the title.

EFFECT: Places the following conditions on commercial advertising associated with state parks lands and activities:

Provides that the parks and recreation commission, in consultation with the department of archaeology and historic preservation, must follow certain standards and conditions before approving advertising on or in state parks lands or buildings;

Requires the state parks and recreation commission to adopt standards for commercial recognition that prohibits certain types of advertising content;

Encourages the state parks and recreation commission to use its advertising authority to promote certain public interest objectives; and

Prohibits the state parks and recreation commission from naming a state park or state park building after a commercial entity, product, or service.

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