
ENGROSSED SENATE BILL 6034

State of Washington

63rd Legislature

2014 Regular Session

By Senators Pearson, Hargrove, McCoy, Mullet, and McAuliffe; by request of Parks and Recreation Commission

Read first time 01/14/14. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to state parks partnership opportunities; amending
2 RCW 79A.05.335, 79A.05.340, 79A.05.345, 79A.70.010, 79A.70.020,
3 79A.70.030, and 79A.70.040; and adding new sections to chapter 79A.05
4 RCW.

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

6 **Sec. 1.** RCW 79A.05.335 and 1991 c 107 s 1 are each amended to read
7 as follows:

8 The legislature finds that the parks and recreation lands owned and
9 managed by the (~~state-parks-and-recreation~~) commission are a
10 significant collection of valuable scenic, natural, cultural, and
11 historical(~~, and cultural~~) resources for the citizens of Washington
12 state. The legislature further finds that if citizens understand and
13 appreciate the (~~state-park-ecological-resources, they will come to~~
14 ~~appreciate and understand the ecosystems and natural resources~~
15 ~~throughout the state~~) scenic, natural, cultural, and historical
16 resources present in Washington's state parks, they will be inspired to
17 conserve this important legacy for future generations. Therefore, the
18 (~~state-parks-and-recreation~~) commission may (~~increase the~~) use

1 ((of)) its facilities and resources to provide ((environmental))
2 scenic, natural, cultural, or historical resource interpretation
3 throughout the state parks system.

4 **Sec. 2.** RCW 79A.05.340 and 1991 c 107 s 2 are each amended to read
5 as follows:

6 The ((state parks and recreation)) commission may provide
7 ((environmental interpretative)) scenic, natural, cultural, or
8 historical resource interpretive activities for visitors to state parks
9 that:

10 (1) Explain the functions, history, significance, and cultural
11 aspects of ecosystems;

12 (2) Explain the relationship between human needs, human behaviors
13 and attitudes, and the environment; ((and))

14 (3) Explain the diverse human heritage and cultural changes over
15 time in Washington state;

16 (4) Offer experiences and information to increase citizen
17 understanding, appreciation, and stewardship of ((the environment and
18 its multiple uses)) their natural, cultural, ethnic, and artistic
19 heritage; and

20 (5) Explain the need for natural, cultural, and historical resource
21 protection and preservation as well as the methods by which these goals
22 can be achieved.

23 **Sec. 3.** RCW 79A.05.345 and 1991 c 107 s 3 are each amended to read
24 as follows:

25 The ((state parks and recreation)) commission may consult and enter
26 into agreements with and solicit assistance from ((private sector
27 organizations and other governmental agencies that are interested in
28 conserving and interpreting Washington's environment. The commission
29 shall not permit commercial advertising in state park lands or
30 interpretive centers as a condition of such agreements. Logos or
31 credit lines for sponsoring organizations may be permitted. The
32 commission shall maintain an accounting of all monetary gifts provided,
33 and expenditures of monetary gifts shall not be used to increase
34 personnel)) other public agencies, the state parks foundation, private
35 entities, employee business units, and tribes that are interested in

1 stewarding and interpreting state parks scenic, natural, cultural, and
2 recreational resources.

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

5 The commission, in consultation with the department of archaeology
6 and historic preservation, may permit commercial advertising on or in
7 state parks lands and buildings, when all the following conditions are
8 met:

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

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

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

19 Notwithstanding subsections (1) through (3) of this section,
20 commercial advertising, including product placement, may still be
21 permitted on commission web sites, electronic social media, and printed
22 materials within or outside of state parks.

23 NEW SECTION. Sec. 5. A new section is added to chapter 79A.05 RCW
24 to read as follows:

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

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

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

33 (c) If the agreement results in net financial benefits to the
34 state; and

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

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

9 (3) The commission's authority to enter into agreements under RCW
10 79A.05.345 or this section does not include the ability to rename any
11 state park after a corporate or commercial entity, product, or service.

12 **Sec. 6.** RCW 79A.70.010 and 2000 c 25 s 2 are each amended to read
13 as follows:

14 The purpose of the Washington state parks (~~gift~~) foundation is to
15 solicit support for the state parks system, cooperate with other
16 organizations, and to encourage gifts to support and improve the state
17 parks.

18 **Sec. 7.** RCW 79A.70.020 and 2000 c 25 s 3 are each amended to read
19 as follows:

20 The definitions in this section apply throughout this chapter(~~(7)~~)
21 unless the context clearly requires otherwise.

22 (1) "Foundation" means the Washington state parks (~~gift~~)
23 foundation(~~(7)~~) created in RCW 79A.70.030.

24 (2) "State parks" means that system of parks administered by the
25 commission under this title.

26 (3) "Eligible grant recipients" includes any and all of the
27 activities of the commission in carrying out the provisions of this
28 title and friends groups or other organizations that propose projects
29 or programs solely for the benefit of state parks.

30 (4) "Eligible projects" means any project, action, program, or part
31 of any project (~~(6)~~) action, or program that serves to preserve,
32 restore, improve, or enhance the state parks.

33 **Sec. 8.** RCW 79A.70.030 and 2000 c 25 s 4 are each amended to read
34 as follows:

35 (1) By September 1, 2000, the commission shall file articles of

1 incorporation in accordance with the Washington nonprofit corporation
2 act, chapter 24.03 RCW, to establish the Washington state parks
3 (~~gift~~) foundation. The foundation shall not be an agency,
4 instrumentality, or political subdivision of the state and shall not
5 disburse public funds.

6 (2) The foundation shall have a board of directors consisting of up
7 to fifteen members, whose terms, method of appointment, and authority
8 must be in accordance with the Washington nonprofit corporation act,
9 chapter 24.03 RCW. (~~Initial members of the board shall be appointed~~
10 ~~by the governor and collectively have experience in business,~~
11 ~~charitable giving, outdoor recreation, and parks administration.~~
12 ~~Initial appointments shall be made by September 30, 2000. Subsequent~~
13 ~~board members shall be elected by the general membership of the~~
14 ~~foundation.~~

15 (~~3~~) ~~Members of the board shall serve three year terms, except for~~
16 ~~the initial terms, which shall be staggered by the governor to achieve~~
17 ~~a balanced mix of terms on the board. Members of the board may serve~~
18 ~~up to a maximum of three terms. At the end of a term, a member may~~
19 ~~continue to serve until a successor has been elected.)~~

20 **Sec. 9.** RCW 79A.70.040 and 2000 c 25 s 5 are each amended to read
21 as follows:

22 (1) (~~As soon as practicable, the board of directors shall organize~~
23 ~~themselves and the foundation suitably to carry out the duties of the~~
24 ~~foundation, including achieving federal tax exempt status.~~

25 (~~2~~) The foundation shall actively solicit contributions from
26 individuals and groups for the benefit of the state parks.

27 (~~3~~) (2) The foundation shall develop criteria for guiding
28 themselves in either the creation of an endowment, or the making of
29 grants to eligible grant recipients and eligible projects in the state
30 parks, or both.

31 (~~4~~) (3) A competitive grant process shall be conducted at least
32 annually by the foundation to award funds (~~to the~~) for the benefit of
33 state parks. Competitive grant applications shall only be submitted to
34 the foundation by the commission, friends groups, or other
35 organizations with projects or programs solely for the benefit of state
36 parks. (~~The process shall be started as soon as practicable.~~)

1 Grants shall be awarded to eligible projects consistent with the
2 criteria developed by the foundation (~~and shall be available only for~~
3 ~~state parks use on eligible projects~~)).

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