
SECOND SUBSTITUTE HOUSE BILL 1024

State of Washington

69th Legislature

2025 Regular Session

By House Capital Budget (originally sponsored by Representatives Kloba, Duerr, Ryu, Berry, Pollet, and Davis; by request of Parks and Recreation Commission)

READ FIRST TIME 02/21/25.

1 AN ACT Relating to leasing authority of the state parks and
2 recreation commission at St. Edward State Park; and amending RCW
3 79A.05.025 and 79A.05.030.

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

5 **Sec. 1.** RCW 79A.05.025 and 2020 c 123 s 1 are each amended to
6 read as follows:

7 (1) The commission shall elect one of its members as chair. The
8 commission may be convened at such times as the chair deems
9 necessary, and a majority shall constitute a quorum for the
10 transaction of business.

11 (2) ~~((a) Except as provided in (b) of this subsection, the)~~ The
12 lease of parkland or property for a period exceeding ~~((twenty))~~ 20
13 years requires the affirmative vote of at least five members of the
14 commission.

15 ~~((b) With the affirmative vote of at least five members of the~~
16 ~~commission, the commission may enter into a lease for up to sixty-two~~
17 ~~years for property at Saint Edward state park. The commission may~~
18 ~~only enter into a lease under the provisions of this subsection~~
19 ~~(2)(b) if the commission finds that the department of commerce study~~
20 ~~required by section 3, chapter 103, Laws of 2016 fails to identify an~~
21 ~~economically viable public or nonprofit use for the property that is~~

1 ~~consistent with the state parks and recreation commission's mission~~
2 ~~and could proceed on a reasonable timeline.))~~ (3) The lease at Saint
3 Edward state park may only include the following:

4 ((~~i~~)) (a) The main seminary building;

5 ((~~ii~~)) (b) The pool building;

6 ((~~iii~~)) (c) The gymnasium;

7 ((~~iv~~)) (d) The parking lot located in between locations
8 identified in ((~~(b)(i), (ii), and (iii)~~)) (a), (b), and (c) of this
9 subsection;

10 ((~~v~~)) (e) The parking lot immediately north of the gymnasium;
11 and

12 ((~~vi~~)) (f) Associated property immediately adjacent to the
13 areas listed in ((~~(b)(i) through (v)~~)) (a) through (e) of this
14 subsection.

15 **Sec. 2.** RCW 79A.05.030 and 2020 c 123 s 2 are each amended to
16 read as follows:

17 The commission shall:

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

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

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

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

33 (5) Grant concessions or leases in state parks and parkways upon
34 such rentals, fees, or percentage of income or profits and for such
35 terms, in no event longer than ((~~eighty~~)) 80 years((~~, except for a~~
36 ~~lease associated with land or property described in RCW~~
37 ~~79A.05.025(2)(b) which may not exceed sixty-two years,~~)) and upon
38 such conditions as shall be approved by the commission.

1 (a) Leases exceeding a (~~twenty-year~~) 20-year term, or the
2 amendment or modification of these leases, shall require a vote
3 consistent with RCW 79A.05.025(2).

4 (b) If, during the term of any concession or lease, it is the
5 opinion of the commission that it would be in the best interest of
6 the state, the commission may, with the consent of the concessionaire
7 or lessee, alter and amend the terms and conditions of such
8 concession or lease.

9 (c) Television station leases shall be subject to the provisions
10 of RCW 79A.05.085.

11 (d) The rates of concessions or leases shall be renegotiated at
12 five-year intervals. No concession shall be granted which will
13 prevent the public from having free access to the scenic attractions
14 of any park or parkway.

15 (6) Employ such assistance as it deems necessary. 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
22 to volunteer recognition. The commission, at its discretion, may
23 waive commission fees otherwise applicable to volunteers. The
24 commission shall not use volunteers to replace or supplant classified
25 positions. The use of volunteers may not lead to the elimination of
26 any employees or permanent positions in the bargaining unit.

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

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

39 (b) Moneys used for the purchase of the option agreement are from
40 (i) funds appropriated therefor, or (ii) funds appropriated for

1 undesignated land acquisitions, or (iii) funds deemed by the
2 commission to be in excess of the amount necessary for the purposes
3 for which they were appropriated; and

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

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

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

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

--- END ---