

## CHAPTER 75

[House Bill No. 582]

## WASHINGTON STATE YAKIMA RIVER CONSERVATION AREA

AN ACT Relating to the Yakima River; and adding new sections to chapter 43.51 RCW.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Section 1. It is the intent of this act to establish and recognize the Yakima river corridor from Selah Gap (Yakima Ridge) to Union Gap (Rattlesnake Hills) as a uniquely valuable recreation, conservation, and scenic resource in the state of Washington.

**NEW SECTION.** Sec. 2. For the purposes of this act, the Yakima river conservation area is to contain no more than the area delineated in appendix D on pages D-3, D-4, D-6, D-7, D-9, and D-10 of the report entitled "The Yakima River Regional Greenway" which resulted from the Yakima river study authorized in section 170, chapter 269, Laws of 1975, first extraordinary session.

**NEW SECTION.** Sec. 3. There is hereby created an area to be known as the "Washington State Yakima river conservation area". This area designation may be used as a common reference by all state and local agencies, municipalities, and federal agencies.

**NEW SECTION.** Sec. 4. The Yakima county commissioners are authorized to coordinate the acquisition, development, and operation of the Yakima river conservation area in accordance with the purposes of this act and in cooperation with public parks, conservation and resource managing agencies.

**NEW SECTION.** Sec. 5. The Yakima county commissioners are authorized to acquire such real property, easements or rights in river-related lands in the Yakima river conservation area, together with such real property, easements, and rights as are necessary for such conservation and parks purposes in any manner authorized by law for the acquisition of lands for conservation, parks and parkway purposes: PROVIDED, That only the Yakima county commissioners shall have the power of eminent domain for the purposes of this chapter.

**NEW SECTION.** Sec. 6. Except for such property as is necessary or suitable for the development of recreational areas and their related facilities, it is the intent of this section that such property shall be acquired to preserve, as much as possible, the river wetlands in their natural state.

**NEW SECTION.** Sec. 7. The Washington state parks and recreation commission is directed to consult with the Yakima county commissioners in the acquisition, development, and operation of the Yakima river conservation area in accordance with the purposes of this act and the Yakima river study authorized in section 170, chapter 269, Laws of 1975, first extraordinary session.

**NEW SECTION.** SEC. 8. The interagency committee for outdoor recreation is directed to assist the Yakima county commissioners in obtaining state, federal, and private funding for the acquisition, development, and operation of the Yakima river conservation area.

**NEW SECTION.** Sec. 9. Nothing herein shall be construed as affecting nor being in conflict with existing county or city zoning and/or permitted land uses and the right to develop, build or expand existing uses in accordance with the said zoning or permitted land uses within the Yakima river conservation area.

**NEW SECTION.** Sec. 10. Nothing in this act shall be construed to interfere with the powers, duties, and authority of the state department of game or the state game commission to regulate, manage, conserve, and provide for the harvest of wildlife within such area: **PROVIDED, HOWEVER,** That no hunting shall be permitted in any state park.

**NEW SECTION.** Sec. 11. Nothing herein shall be construed as authorizing or directing the Yakima county commissioners to acquire any real property, easements, or rights in the Yakima river conservation area which are now held by any other agency without the approval of that agency.

**NEW SECTION.** Sec. 12. Sections 1 through 11 of this act shall be added to chapter 43.51 RCW.

Passed the House May 16, 1977.

Passed the Senate May 12, 1977.

Approved by the Governor May 24, 1977.

Filed in Office of Secretary of State May 24, 1977.

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## CHAPTER 76

[Substitute House Bill No. 601]

### GAMBLING

AN ACT Relating to gambling; amending section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.020; and amending section 7, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.070.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.020 are each amended to read as follows:

- (1) "Amusement game" means a game played for entertainment in which:
- (a) The contestant actively participates;
  - (b) The outcome depends in a material degree upon the skill of the contestant;
  - (c) Only merchandise prizes are awarded;
  - (d) The outcome is not in the control of the operator;
  - (e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and
  - (f) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.