
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0539.2/13 2nd draft

ATTY/TYPIST: ML:eab

BRIEF DESCRIPTION: Concerning state parks partnership opportunities.

AN ACT Relating to state parks partnership opportunities; amending RCW 79A.05.335, 79A.05.340, 79A.05.345, 79A.70.010, 79A.70.020, 79A.70.030, and 79A.70.040; and adding a new section to chapter 79A.05 RCW.

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

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

The legislature finds that the parks and recreation lands owned and managed by the (~~state parks and recreation~~) commission are a significant collection of valuable scenic, natural, cultural, and historical(~~, and cultural~~) resources for the citizens of Washington state. The legislature further finds that if citizens understand and appreciate the (~~state park ecological resources, they will come to appreciate and understand the ecosystems and natural resources throughout the state~~) scenic, natural, cultural, and historical resources present in Washington's state parks, they will be inspired to conserve this important legacy for future generations. Therefore,

the ~~((state parks and recreation))~~ commission may ~~((increase the))~~ use ~~((of))~~ its facilities and resources to provide ~~((environmental))~~ scenic, natural, cultural, or historical resource interpretation throughout the state parks system.

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

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

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

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

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

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

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

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

The ~~((state parks and recreation))~~ commission may consult and enter into agreements with and solicit assistance from ~~((private sector organizations and other governmental agencies that are interested in conserving and interpreting Washington's environment. The commission shall not permit commercial advertising in state park lands or interpretive centers as a condition of such agreements. Logos or credit lines for sponsoring organizations may be permitted. The commission shall maintain an accounting of all monetary gifts~~

~~provided, and expenditures of monetary gifts shall not be used to increase personnel))~~ other public agencies, the state parks foundation, private entities, employee business units, and tribes that are interested in stewarding and interpreting state parks scenic, natural, cultural, and recreational resources.

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

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

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

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

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

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

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

Sec. 5. RCW 79A.70.010 and 2000 c 25 s 2 are each amended to read as follows:

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

Sec. 6. RCW 79A.70.020 and 2000 c 25 s 3 are each amended to read as follows:

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

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

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

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

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

Sec. 7. RCW 79A.70.030 and 2000 c 25 s 4 are each amended to read as follows:

(1) By September 1, 2000, the commission shall file articles of incorporation in accordance with the Washington nonprofit corporation act, chapter 24.03 RCW, to establish the Washington state parks ~~((~~gift~~))~~ foundation. The foundation shall not be an agency, instrumentality, or political subdivision of the state and shall not disburse public funds.

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

~~—(3) Members of the board shall serve three-year terms, except for the initial terms, which shall be staggered by the governor to achieve~~

~~a balanced mix of terms on the board. Members of the board may serve up to a maximum of three terms. At the end of a term, a member may continue to serve until a successor has been elected.)~~)

Sec. 8. RCW 79A.70.040 and 2000 c 25 s 5 are each amended to read as follows:

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

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

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

~~((4))~~) (3) A competitive grant process shall be conducted at least annually by the foundation to award funds ~~((to the))~~ for the benefit of state parks. Competitive grant applications shall only be submitted to the foundation by the commission, friends groups, or other organizations with projects or programs solely for the benefit of state parks. ~~((The process shall be started as soon as practicable.))~~ Grants shall be awarded to eligible projects consistent with the criteria developed by the foundation ~~((and shall be available only for state parks use on eligible projects))~~.