

CHAPTER 90.

[Senate Bill No. 5.]

PARKS AND RECREATION—OPTION AGREEMENTS.

AN ACT relating to parks and recreation; and amending section 43.51.040, chapter 8, Laws of 1965 and RCW 43.51.040.

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

Section 1. Section 43.51.040, chapter 8, Laws of 1965 and RCW 43.51.040 are each amended to read as follows:

RCW 43.51.040 amended.

The commission shall:

Parks and recreations—
Powers and duties.

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

(2) Adopt, promulgate, issue, and enforce rules and regulations pertaining to the use, care, and administration of state parks and parkways, which shall become effective ten days after adoption. The commission shall cause a copy of the rules and regulations to be kept posted in a conspicuous place in every state park to which they are applicable, but failure to post or keep any rule or regulation posted shall be no defense to any prosecution for the violation thereof.

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

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

(5) Grant concessions in state parks and parkways, upon such rentals, fees, or percentage of income or profits and for such terms, in no event longer than twenty years, and upon such conditions

Parks and rec-
reations—
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as shall be approved by the commission: *Provided*, That the commission may, by unanimous consent of its members grant such concessions for terms not to exceed forty years in state parks and parkways lying within the Columbia basin area in Douglas, Grant, Franklin, and Walla Walla counties and within Mount Spokane state park. No concession shall be granted which will prevent the public from having free access to the scenic attractions of any park or parkway.

(6) Employ such assistance as it deems necessary.

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

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

(b) Moneys used for the purchase of the option agreement are from (i) funds appropriated therefor, or (ii) funds appropriated for undesignated land acquisitions, or (iii) funds deemed by the commission to be in excess of the amount necessary for the purposes for which they were appropriated; and

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

(8) Cooperate with the United States, or any county or city of this state, in any matter pertaining to the acquisition for park and parkway purposes of any area not within the limits of any city, and in the care, control, or supervision of any park or parkway, and enter into contracts in writing to that end. All parks or parkways, to the acquisition or improvement of which the state shall have contributed or in whose care, control, or supervision the state shall participate pursuant to the provisions of this section, shall be governed by the provisions hereof.

(9) Investigate and report to the governor on or before the first day of January next preceding the regular session of the legislature regarding any proposed park or parkway, and make recommendations respecting other regions in the state desirable for state park or parkway purposes.

Passed the Senate April 4, 1967.

Passed the House April 20, 1967.

Approved by the Governor April 28, 1967.

CHAPTER 91.

[Engrossed Senate Bill No. 447.]

FIREMEN OF CITIES AND TOWNS.

AN ACT relating to firemen of cities and towns; and amending section 4, chapter 91, Laws of 1947 and RCW 41.16.040 and section 3, chapter 82, Laws of 1957 as amended by section 3, chapter 5, Laws of 1959, and RCW 41.16.090.

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

Section 1. Section 4, chapter 91, Laws of 1947 and RCW 41.16.040 are each amended to read as follows:

RCW 41.16.040
amended.

The board shall have such general powers as are