

Sec. 6. Section 35.61.300, chapter 7, Laws of 1965 and RCW 35.61-.300 are each amended to read as follows:

When any metropolitan park district shall be formed pursuant to this chapter and shall assume control of the parks, parkways, boulevards, and park property of the city in which said park district is created, or the metropolitan park district accepts county park and recreation lands, such park district shall assume all existing indebtedness, bonded or otherwise, against such park property, and shall arrange by taxation or issuing bonds, as herein provided, for the payment of such indebtedness, and shall relieve such city or county from such payment. Said park district is hereby given authority to issue refunding bonds when necessary in order to enable it to comply with this section.

Passed the House April 22, 1985.

Passed the Senate April 11, 1985.

Approved by the Governor May 20, 1985.

Filed in Office of Secretary of State May 20, 1985.

CHAPTER 417

[Substitute House Bill No. 814]

SHELLFISH PROTECTION DISTRICTS

AN ACT Relating to water quality; and adding a new chapter to Title 90 RCW.

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

NEW SECTION. Sec. 1. In recognition of the fact that tidelands historically used for shellfish farming are threatened by nonpoint pollution sources that have been identified as resulting from agricultural grazing practices, failing septic drainfield systems, and stormwater runoff; in recognition of the fact that some of the historical and productive shellfish areas within the state already have been contaminated by these pollution sources and as a result may not be used for shellfish farming; and in recognition of the fact that shellfish harvesting both commercially and for home consumption is a way of life in many areas of the state, particularly in the Hood Canal, southern Puget Sound, and Willapa Bay regions, and has been so since before the days of statehood; the legislature hereby encourages all counties having tidelands used for the growing or harvesting of shellfish within their boundaries to immediately establish shellfish protection districts and programs designed to prevent any further degradation and contamination of shellfish growing areas.

NEW SECTION. Sec. 2. For purposes of this chapter, "shellfish tidelands" means all saltwater tidelands on which shellfish are grown or harvested for human consumption.

NEW SECTION. Sec. 3. The legislative authority of each county having shellfish tidelands within its boundaries is authorized to establish a

shellfish protection district to include areas in which nonpoint pollution threatens the continuation of shellfish farming or harvesting. The legislative authority shall constitute the governing body of the district and shall adopt a shellfish protection program to be effective within the district. This program may include any elements deemed appropriate to deal with the pollution threat, including, but not limited to, requiring the elimination or decrease of contaminants in stormwater runoff, monitoring programs to make sure that septic drainfield systems are adequately maintained and working properly and that animal grazing practices are appropriate, and educational programs to inform citizens on the causes of the threatening nonpoint pollution and what they can do to decrease the amount of such pollution.

NEW SECTION. Sec. 4. The county legislative authority may create a shellfish protection district on its own motion or by submitting the question to the voters of the proposed district and obtaining the approval of a majority of those voting. The boundaries of the district shall be determined by the legislative authority. The legislative authority may create more than one district. A district may include any area within the county, whether incorporated or unincorporated. The legislative authority may abolish a shellfish protection district on its own motion or by submitting the question to the voters of the district and obtaining the approval of a majority of those voting.

NEW SECTION. Sec. 5. County legislative authorities are encouraged to coordinate their plans and programs to protect shellfish tidelands, especially in respect to shellfish farming areas located within the boundaries of more than one county.

NEW SECTION. Sec. 6. Whenever a governmental entity makes a decision which addresses a matter in which there is a conflict between (1) on the one hand, a proposed development, proposed change in land use controls, or proposed change in the provision of utility services; and (2) on the other hand, the long-term use of an area for the growing or harvesting of shellfish, which area is within the boundaries of a shellfish protection district, then the governmental entity making the decision must observe the requirements of chapter 43.21C RCW and county ordinances or resolutions integrating the state environmental policy act of 1971 into the various programs under county jurisdiction.

NEW SECTION. Sec. 7. The county legislative authority establishing a shellfish protection district may finance the protection program through (1) its tax revenues, (2) inspection fees and similar fees or charges specified in its protection program, or (3) federal, state, or private grants.

NEW SECTION. Sec. 8. This chapter shall not be considered as diminishing or affecting the authority of a county to adopt and enforce programs or controls, within all or a portion of the county, to deal with nonpoint pollution.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 90 RCW.

Passed the House April 23, 1985.

Passed the Senate April 19, 1985.

Approved by the Governor May 20, 1985.

Filed in Office of Secretary of State May 20, 1985.

CHAPTER 418

[Engrossed Second Substitute House Bill No. 1078]

PRESCHOOL STATE EDUCATION AND ASSISTANCE PROGRAM—EARLY CHILDHOOD ASSISTANCE ACT

AN ACT Relating to early childhood education and assistance; creating new sections; and providing an expiration date.

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

NEW SECTION. Sec. 1. It is the intent of the legislature to establish a preschool state education and assistance program. This special assistance program is a voluntary enrichment program to help prepare some children to enter the common school system and shall be offered only as funds are available. This program is not a part of the basic program of education which must be fully funded by the legislature under Article IX, section 1 of the state Constitution.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Advisory committee" means the advisory committee under section 5 of this act.

(2) "At risk" means a child at least four years of age and not eligible for kindergarten whose family circumstances would qualify that child for eligibility under the federal head start program.

(3) "Department" means the department of community development.

(4) "Eligible child" means an at-risk child as defined in this section who is not a participant in a federal or state program providing like educational services and may include children who are eligible under rules adopted by the department if the number of such children equals not more than ten percent of the total enrollment in the preschool program.

(5) "Approved preschool programs" means those state-supported education and special assistance programs which are recognized by the department of community development as meeting the minimum program rules