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**SUBSTITUTE SENATE BILL 5061**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** Senate Natural Resources, Ocean & Recreation (originally sponsored by Senator Jacobsen)

READ FIRST TIME 02/13/09.

1       AN ACT Relating to enhancing the natural resource collections at  
2 the Washington park arboretum; adding new sections to chapter 28B.20  
3 RCW; and creating a new section.

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

5       NEW SECTION.   **Sec. 1.** The legislature finds that the Washington  
6 park arboretum is the official arboretum of the state of Washington.  
7 The University of Washington and the city of Seattle cooperatively  
8 established the arboretum in 1934, with Seattle holding title to most  
9 of the property and the University of Washington owning, designing,  
10 developing, and managing the collections at the arboretum and botanic  
11 garden. The arboretum is a central component of the University of  
12 Washington botanic gardens, along with collections around the center  
13 for urban horticulture, in the Union Bay natural area, and in the Otis  
14 Douglas Hyde herbarium.

15       The legislature finds that the Washington park arboretum contains  
16 a dynamic collection of trees and other woody plants that are hardy in  
17 the maritime Pacific Northwest. Collections are selected and arranged  
18 to display their beauty and function in urban landscapes, to  
19 demonstrate their natural ecology and diversity, and to conserve

1 important species and cultivated varieties for the future. There is no  
2 fee for admission to the arboretum, allowing everyone to enjoy and  
3 learn from its collections.

4 The legislature also finds that the Washington park arboretum holds  
5 one of the most prestigious plant collections in the world. The  
6 arboretum consists of approximately twenty thousand trees, shrubs, and  
7 vines, of which over ten thousand are catalogued. The collection  
8 includes approximately four thousand six hundred different species and  
9 one hundred thirty-nine endangered species. Collections include  
10 rhododendron, azalea, mountain ash, pine, spruce, cedar, fir,  
11 crabapple, holly, magnolia, camellia, and Japanese maple. The  
12 arboretum's collection of oaks and maples is the richest in the nation,  
13 and the conifers, hollies, and magnolias also rank among the nation's  
14 finest collections. The arboretum displays ninety-five percent of its  
15 holdings, whose estimated value is almost eighty-two million dollars.

16 The legislature further finds that the Washington park arboretum's  
17 mission is to serve the public, students at all levels, naturalists,  
18 gardeners, and nursery and landscape professionals with its  
19 collections, educational programs, interpretation, and recreational  
20 opportunities. Therefore, the legislature intends to provide  
21 additional tools and resources to the University of Washington botanic  
22 gardens as it preserves and provides public access to the important  
23 educational, recreational, social, and cultural state resources that  
24 the arboretum and other botanic garden collections have to offer.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.20 RCW  
26 to read as follows:

27 It is the goal of the legislature that the Washington park  
28 arboretum's collections, exhibits, and facilities be preserved,  
29 maintained, and presented in a manner befitting one of the world's most  
30 prestigious plant collections. Therefore, the Washington park  
31 arboretum must strive to:

32 (1) Enhance public appreciation for the aesthetic diversity of  
33 temperate wood plants;

34 (2) Educate the public and regional school population about urban  
35 landscape use and the natural biology of temperate wood plants;

36 (3) Conserve and keep healthy native, exotic, and cultivated woody  
37 plants to preserve diversity for future appreciation;

1 (4) Maintain and enhance collections, exhibits, and facilities to  
2 create the best possible ambiance and visitor experience; and

3 (5) Cooperate with local, regional, national, and international  
4 entities that have a similar mission.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.20 RCW  
6 to read as follows:

7 The University of Washington botanic gardens endowed curatorship is  
8 established within the University of Washington to support a staff  
9 position within the botanic gardens, which currently falls under the  
10 college of forest resources. The purpose of the endowed curatorship is  
11 to ensure that perpetual funding exists for a botanic gardens curator  
12 who shall focus on: (1) The preservation, maintenance, and  
13 presentation of the botanic garden's collections; and (2) the goals  
14 established for the Washington park arboretum in section 2 of this act.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 28B.20 RCW  
16 to read as follows:

17 (1) The University of Washington botanic gardens endowed  
18 curatorship account is created in the custody of the state treasurer.  
19 All moneys appropriated by the legislature for the University of  
20 Washington botanic gardens endowed curatorship or to the account must  
21 be placed in the account. Money in the account may only be released  
22 according to the procedures set forth in subsection (2) of this  
23 section. The account is subject to allotment procedures under chapter  
24 43.88 RCW, but an appropriation is not required for expenditures.

25 (2) The state treasurer must release money in the University of  
26 Washington botanic gardens endowed curatorship account to the  
27 University of Washington board of regents for inclusion in the  
28 University of Washington consolidated endowment fund when the  
29 University of Washington board of regents determines that it can match  
30 the state funds requested with an equal amount of funds contributed by  
31 nonstate sources for the University of Washington botanic gardens  
32 endowed curatorship and requests that the funds be released. The state  
33 and nonstate moneys must each be placed in the University of Washington  
34 consolidated endowment fund. The University of Washington may not  
35 invade the principal invested for the botanic gardens endowed

1 curatorship. Distributions from the consolidated endowment fund  
2 resulting from this investment must be used solely for purposes of the  
3 University of Washington botanic gardens endowed curatorship.

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