
SENATE BILL 5897

State of Washington

63rd Legislature

2013 Regular Session

By Senator Pearson

Read first time 04/04/13. Referred to Committee on Ways & Means.

1 AN ACT Relating to state parks; amending RCW 79A.05.335,
2 79A.05.340, 79A.05.345, 79A.70.005, 79A.70.010, 79A.70.020, 79A.70.030,
3 79A.70.040, 79A.05.025, 79A.05.175, 79A.05.178, 82.19.040, 70.93.180,
4 and 79A.05.215; reenacting and amending RCW 79A.05.030; adding a new
5 section to chapter 79A.80 RCW; adding new sections to chapter 79A.05
6 RCW; creating a new section; repealing RCW 79A.70.050; providing an
7 effective date; providing expiration dates; and declaring an emergency.

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

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

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

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

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

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

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

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

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

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

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

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

25 The (~~state parks and recreation~~) commission may consult and enter
26 into agreements with and solicit assistance from (~~private sector~~
27 ~~organizations and other governmental agencies that are interested in~~
28 ~~conserving and interpreting Washington's environment. The commission~~
29 ~~shall not permit commercial advertising in state park lands or~~
30 ~~interpretive centers as a condition of such agreements. Logos or~~
31 ~~credit lines for sponsoring organizations may be permitted. The~~
32 ~~commission shall maintain an accounting of all monetary gifts provided,~~
33 ~~and expenditures of monetary gifts shall not be used to increase~~
34 ~~personnel~~) the state parks foundation, private sector individuals,
35 organizations, businesses, employee business units, other public

1 agencies, and tribes that are interested in stewarding and interpreting
2 state parks natural, cultural, scenic, and recreational resources.

3 **Sec. 4.** RCW 79A.70.005 and 2000 c 25 s 1 are each amended to read
4 as follows:

5 The legislature finds that:

6 (1) State parks are a valuable asset to the people of the state of
7 Washington, contributing to their health, education, and well-being;

8 (2) Well maintained state parks are an attraction and contribute
9 significantly to the economic well-being of the state of Washington;

10 (3) Well maintained state parks encourage the appreciation of the
11 natural resources and natural beauty of the state of Washington;

12 (4) There is an increasing demand for more state parks and more
13 state parks services;

14 (5) There are individuals and groups who desire to contribute to
15 the continued vitality of the state parks system;

16 (6) Providing a tax-deductible method for individuals and groups to
17 contribute is an effective way of increasing available funds to improve
18 the state parks system; and

19 (7) It is in the public interest to create a nonprofit foundation
20 to provide such a method for individuals and groups to contribute to
21 the preservation, restoration, ~~((and))~~ enhancement, and operation of
22 the state parks system.

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

25 The purpose of the Washington state parks ~~((gift))~~ foundation is to
26 solicit support ~~((for the state parks system, cooperate with other
27 organizations, and to encourage gifts to support and improve the state
28 parks)), build constituencies, engage in public outreach, cooperate
29 with other organizations, and encourage gifts and private sponsorship
30 activities to support operation, acquisition, and improvement of state
31 parks. The foundation shall take the lead role in soliciting,
32 recognizing, and cultivating enduring relationships with private donors
33 and sponsors.~~

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

1 The definitions in this section apply throughout this chapter,
2 unless the context clearly requires otherwise.

3 (1) "Foundation" means the Washington state parks ((gift))
4 foundation((τ)) created in RCW 79A.70.030.

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

7 (3) "Eligible grant recipients" includes any and all of the
8 activities of the commission in carrying out the provisions of this
9 title and friends groups or other cooperating associations established
10 solely for the benefit of state parks.

11 (4) "Eligible projects" means any project, action, program, or part
12 of any project ((~~or~~)), action, or program that serves to preserve,
13 restore, improve, ((~~or~~)) enhance ((the)), or otherwise contribute to
14 the operation of state parks.

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

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

23 (2) The foundation shall have a board of directors consisting of up
24 to fifteen members(~~(. Initial members of the board shall be appointed~~
25 ~~by the governor and collectively have experience in business,~~
26 ~~charitable giving, outdoor recreation, and parks administration.~~
27 ~~Initial appointments shall be made by September 30, 2000. Subsequent~~
28 ~~board members shall be elected by the general membership of the~~
29 ~~foundation.~~

30 ~~(3) Members of the board shall serve three year terms, except for~~
31 ~~the initial terms, which shall be staggered by the governor to achieve~~
32 ~~a balanced mix of terms on the board. Members of the board may serve~~
33 ~~up to a maximum of three terms. At the end of a term, a member may~~
34 ~~continue to serve until a successor has been elected)), whose terms,
35 method of appointment, and authority must be in accordance with the
36 Washington nonprofit corporation act, chapter 24.03 RCW.~~

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

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

6 (2)) The foundation shall actively solicit contributions from
7 individuals and groups for the benefit of the state parks. The
8 foundation shall coordinate with the commission and take the lead role
9 in appropriately thanking, recognizing, and inviting donors to further
10 support operation, acquisition, and improvement of state parks and
11 other purposes of this chapter.

12 ((3)) (2) The foundation shall develop criteria jointly with the
13 agency director for guiding ((~~themselves~~)) the foundation in either the
14 creation of an endowment, or the making of grants to eligible grant
15 recipients and eligible projects in the state parks, or both.

16 ((4)) (3) A competitive grant process shall be conducted at least
17 annually by the foundation to award funds ((~~to the~~)) for the benefit of
18 state parks. Competitive grant applications shall only be submitted to
19 the foundation by the commission, friends groups, or other cooperating
20 associations established for the benefit of state parks. ((~~The process~~
21 ~~shall be started as soon as practicable.~~)) Grants shall be awarded to
22 eligible projects consistent with the criteria developed jointly by the
23 foundation and ((~~shall be available only for state parks use on~~
24 ~~eligible projects~~)) the agency director.

25 NEW SECTION. **Sec. 9.** A new section is added to chapter 79A.80 RCW
26 to read as follows:

27 (1) By mutual agreement, the agencies may sell discounted discover
28 passes at a rate below that established under RCW 79A.80.020 or
29 discounted day-use permits at a rate below that established under RCW
30 79A.80.030 for purposes of bulk sales to retailers, agency license and
31 permit product bundling, and partnership opportunities to expand
32 accessibility and visibility of the discover pass and recreational
33 opportunities on agency-managed lands.

34 (2) In exercising this authority, the agencies must prioritize
35 opportunities for discounted sales that result in a net revenue gain.

1 **Sec. 10.** RCW 79A.05.025 and 1999 c 249 s 202 are each amended to
2 read as follows:

3 The commission shall elect one of its members as chair. The
4 commission may be convened at such times as the chair deems necessary,
5 and a majority shall constitute a quorum for the transaction of
6 business. The votes of a majority of the commissioners present are
7 required to approve a measure or decision brought to a vote.

8 **Sec. 11.** RCW 79A.05.030 and 2005 c 373 s 1 and 2005 c 360 s 5 are
9 each reenacted and amended to read as follows:

10 The commission shall:

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

14 (2) Adopt policies, and adopt, issue, and enforce rules pertaining
15 to the use, care, and administration of state parks and parkways. The
16 commission shall cause a copy of the rules to be kept posted in a
17 conspicuous place in every state park to which they are applicable, but
18 failure to post or keep any rule posted shall be no defense to any
19 prosecution for the violation thereof.

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

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

26 (5) Grant concessions or leases in state parks and parkways, upon
27 such rentals, fees, or percentage of income or profits and for such
28 terms, in no event longer than fifty years, and upon such conditions as
29 shall be approved by the commission: PROVIDED, That (~~leases exceeding~~
30 ~~a twenty-year term shall require a unanimous vote of the commission:~~
31 ~~PROVIDED FURTHER, That~~) if, during the term of any concession or
32 lease, it is the opinion of the commission that it would be in the best
33 interest of the state, the commission may, with the consent of the
34 concessionaire or lessee, alter and amend the terms and conditions of
35 such concession or lease: PROVIDED FURTHER, That television station
36 leases shall be subject to the provisions of RCW 79A.05.085, only:
37 PROVIDED FURTHER, That the rates of such concessions or leases, other

1 than concessions or leases to a public agency as defined in RCW
2 39.34.020, shall be renegotiated at five-year intervals. No concession
3 shall be granted which will prevent the public from having free access
4 to the scenic attractions of any park or parkway.

5 (6) Employ such assistance as it deems necessary. Commission
6 expenses relating to its use of volunteer assistance shall be limited
7 to premiums or assessments for the insurance of volunteers by the
8 department of labor and industries, compensation of staff who assist
9 volunteers, materials and equipment used in authorized volunteer
10 projects, training, reimbursement of volunteer travel as provided in
11 RCW 43.03.050 and 43.03.060, and other reasonable expenses relating to
12 volunteer recognition. The commission, at its discretion, may waive
13 commission fees otherwise applicable to volunteers. The commission
14 shall not use volunteers to replace or supplant classified positions.
15 The use of volunteers may not lead to the elimination of any employees
16 or permanent positions in the bargaining unit.

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

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

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

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

36 (8) Cooperate with the United States, or any county or city of this
37 state, in any matter pertaining to the acquisition, development,
38 redevelopment, renovation, care, control, or supervision of any park or

1 parkway, and enter into contracts in writing to that end. All parks or
2 parkways, to which the state contributed or in whose care, control, or
3 supervision the state participated pursuant to the provisions of this
4 section, shall be governed by the provisions hereof.

5 (9) Within allowable resources, maintain policies that increase the
6 number of people who have access to free or low-cost recreational
7 opportunities for physical activity, including noncompetitive physical
8 activity.

9 (10) Adopt rules establishing the requirements for a criminal
10 history record information search for the following: Job applicants,
11 volunteers, and independent contractors who have unsupervised access to
12 children or vulnerable adults, or who will be responsible for
13 collecting or disbursing cash or processing credit/debit card
14 transactions. These background checks will be done through the
15 Washington state patrol criminal identification section and may include
16 a national check from the federal bureau of investigation, which shall
17 be through the submission of fingerprints. A permanent employee of the
18 commission, employed as of July 24, 2005, is exempt from the provisions
19 of this subsection.

20 **Sec. 12.** RCW 79A.05.175 and 2007 c 145 s 1 are each amended to
21 read as follows:

22 Whenever the commission finds that any land under its control
23 cannot advantageously be used for park purposes, it is authorized to
24 dispose of such land by the method provided in this section or by the
25 method provided in RCW 79A.05.170. If such lands are school or other
26 grant lands, control thereof shall be relinquished by resolution of the
27 commission to the proper state officials. If such lands were acquired
28 under restrictive conveyances by which the state may hold them only so
29 long as they are used for park purposes, they may be returned to the
30 donor or grantors by the commission. All other such lands may be
31 either sold by the commission to the highest bidder or exchanged for
32 other lands of equal value by the commission, and all conveyance
33 documents shall be executed by the governor. All such exchanges shall
34 be accompanied by a transfer fee, to be set by the commission and paid
35 by the other party to the transfer; such fee shall be paid into the
36 parkland acquisition account established under RCW 79A.05.170. The
37 commission may accept sealed bids, electronic bids, or oral bids at

1 auction. Bids on all sales shall be solicited at least twenty days in
2 advance of the sale date by an advertisement appearing at least once a
3 week for two consecutive weeks in a newspaper of general circulation in
4 the county in which the land to be sold is located. If the commission
5 feels that no bid received adequately reflects the fair value of the
6 land to be sold, it may reject all bids, and may call for new bids.
7 All proceeds derived from the sale of such park property shall be paid
8 into the park land acquisition account. All land considered for
9 exchange shall be evaluated by the commission to determine its
10 adaptability to park usage. The equal value of all lands exchanged
11 shall first be determined by the appraisals to the satisfaction of the
12 commission. (~~No sale or exchange of state park lands shall be made~~
13 ~~without the unanimous consent of the commission.~~)

14 **Sec. 13.** RCW 79A.05.178 and 2000 c 42 s 1 are each amended to read
15 as follows:

16 (1) Notwithstanding any other provision of this chapter, the
17 commission may directly dispose of up to ten contiguous acres of real
18 property, without public auction, to resolve trespass, property
19 ownership disputes, and boundary adjustments with adjacent private
20 property owners. Real property to be disposed of under this section
21 may be disposed of only after appraisal and for at least fair market
22 value, and only if the transaction is in the best interest of the
23 state. The commission shall cooperate with potential purchasers to
24 arrive at a mutually agreeable sales price. If necessary,
25 determination of fair market value may include the use of separate
26 independent appraisals by each party and the review of the appraisals,
27 as agreed upon by the parties. All conveyance documents shall be
28 executed by the governor. All proceeds from the disposal of the
29 property shall be paid into the park land acquisition account. (~~No~~
30 ~~disposal of real property may be made without the unanimous consent of~~
31 ~~the commission.~~)

32 (2) Prior to the disposal of any real property under subsection (1)
33 of this section, the commission shall hold a public hearing on the
34 proposal in the county where the real property, or the greatest portion
35 of the real property, is located. At least ten days, but not more than
36 twenty-five days, prior to the hearing, the commission shall publish a
37 paid public notice of reasonable size in display advertising form,

1 setting forth the date, time, and place of the hearing, at least once
2 in one or more daily newspapers of general circulation in the county
3 and at least once in one or more weekly newspapers circulated in the
4 area where the real property is located. A news release concerning the
5 public hearing must be disseminated among print and electronic media in
6 the area where the real property is located. The public notice and
7 news release shall also identify the real property involved in the
8 proposed disposal and describe the purpose of the proposed disposal.
9 A summary of the testimony presented at the public hearing shall be
10 prepared for the commission's consideration when reviewing the proposed
11 disposal of real property.

12 (3) If there is a failure to substantially comply with the
13 procedures set out under this section, then the agreement to dispose of
14 the real property is subject to being declared invalid by a court of
15 competent jurisdiction. Such a suit must be brought within one year of
16 the date of the real property disposal agreement.

17 NEW SECTION. **Sec. 14.** A new section is added to chapter 79A.05
18 RCW to read as follows:

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

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

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

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

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

31 (2) Any agreement subject to this section must include specific
32 performance measures. These measures must cover, but are not limited
33 to, the entity's ability to manage financial operating costs, to
34 adequately perform management responsibilities, and to address and
35 respond to public concerns. The agreement must provide that failure to
36 meet any performance measure may lead to the termination of the

1 contract or requirements for remedial action to be taken before the
2 agreement may be extended.

3 NEW SECTION. **Sec. 15.** A new section is added to chapter 79A.05
4 RCW to read as follows:

5 (1) The commission shall continue its ongoing efforts to evaluate
6 the agency's mission and options to improve the efficiency and
7 effectiveness of the agency, which may include the evaluation of
8 options relating to organizational structure, administrative processes,
9 land and facility ownership and management, and provision of services.

10 (2) The evaluation must include development of specific performance
11 measures relating to the efficiency and effectiveness of the agency,
12 which may include measures relating to data collection necessary for
13 future analysis consistent with the purposes of this section.

14 (3) By September 1st of each even-numbered year, the commission
15 shall, consistent with RCW 43.01.036, provide the office of financial
16 management and appropriate committees of the senate and house of
17 representatives with an analysis of the commission's progress in
18 achieving the performance measures during the current biennium and
19 performance measures for the next biennium that are informed by, and
20 build on, the commission's previous efforts under this section.

21 NEW SECTION. **Sec. 16.** (1) In developing the initial performance
22 measures required by section 15 of this act that are due by September
23 1, 2014, the state parks and recreation commission shall produce and
24 consider the following:

25 (a) An inventory of land and facilities owned and managed by state
26 parks and a process to upgrade the inventory to one capable of
27 describing primary land and facility uses;

28 (b) An evaluation of the lands and facilities identified under (a)
29 of this subsection for lands and facilities surplus to state park needs
30 and actions taken or planned to dispose of or more advantageously
31 position these assets;

32 (c) Current annual visitation categorized by state park and a
33 process to upgrade the system for collecting parks visitation data to
34 better understand existing and potential markets for park services;

35 (d) A process to systematically assess and prioritize the state

1 park and recreation commission's capital needs, including a financial
2 analysis;

3 (e) An inventory of and progress developing ongoing partnerships
4 with entities including the state parks foundation, state park friends
5 groups, and other appropriate public and nonprofit entities;

6 (f) An inventory of existing enterprise activities and agreements
7 at state parks, including those relating to product sales, concessions,
8 sponsorships, and advertising, and a process for identifying and
9 evaluating additional potential enterprise opportunities for generating
10 revenue or cost savings;

11 (g) A summary of actions taken and planned for application of lean
12 management philosophies and tools throughout the agency; and

13 (h) A summary of actions taken and planned towards continued
14 development of a sustained, strategic approach to marketing state
15 parks.

16 (2) The information to be produced and considered under subsection
17 (1) of this section must be provided to the office of financial
18 management and appropriate committees of the senate and house of
19 representatives, concurrently with the performance measures required
20 under section 15 of this act, by September 1, 2014.

21 (3) This section expires June 30, 2015.

22 **Sec. 17.** RCW 82.19.040 and 2001 c 118 s 6 are each amended to read
23 as follows:

24 (1) To the extent applicable, all of the definitions of chapter
25 82.04 RCW and all of the provisions of chapter 82.32 RCW apply to the
26 tax imposed in this chapter.

27 (2) Taxes collected under this chapter shall be (~~deposited in~~)
28 distributed as follows: (a) Five million dollars per fiscal year must
29 be deposited in equal monthly amounts to the state parks renewal and
30 stewardship account under RCW 79A.05.215; and (b) the remainder to the
31 waste reduction, recycling, and litter control account under RCW
32 70.93.180.

33 **Sec. 18.** RCW 70.93.180 and 2011 1st sp.s. c 50 s 963 are each
34 amended to read as follows:

35 (1) There is hereby created an account within the state treasury to
36 be known as the "waste reduction, recycling, and litter control

1 account". Moneys in the account may be spent only after appropriation.
2 Expenditures from the waste reduction, recycling, and litter control
3 account shall be used as follows:

4 (a) Fifty percent to the department of ecology, for use by the
5 departments of ecology, natural resources, revenue, transportation, and
6 corrections, and the parks and recreation commission, for use in litter
7 collection programs, to be distributed under RCW 70.93.220. The amount
8 to the department of ecology shall also be used for a central
9 coordination function for litter control efforts statewide, for the
10 biennial litter survey under RCW 70.93.200(8), and for statewide public
11 awareness programs under RCW 70.93.200(7). The amount to the
12 department shall also be used to defray the costs of administering the
13 funding, coordination, and oversight of local government programs for
14 waste reduction, litter control, and recycling, so that local
15 governments can apply one hundred percent of their funding to achieving
16 program goals. The amount to the department of revenue shall be used
17 to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

18 (b) Twenty percent to the department for local government funding
19 programs for waste reduction, litter control, and recycling activities
20 by cities and counties under RCW 70.93.250, to be administered by the
21 department of ecology; and

22 (c) Thirty percent to the department of ecology for waste reduction
23 and recycling efforts.

24 (2) All (~~taxes imposed in RCW 82.19.010~~) moneys directed to the
25 waste reduction, recycling, and litter control account under RCW
26 82.19.040 and fines and bail forfeitures collected or received pursuant
27 to this chapter shall be deposited in the (~~waste reduction, recycling,~~
28 ~~and litter control~~) account and used for the programs under subsection
29 (1) of this section.

30 (3) Not less than five percent and no more than ten percent of the
31 amount appropriated into the waste reduction, recycling, and litter
32 control account every biennium shall be reserved for capital needs,
33 including the purchase of vehicles for transporting crews and for
34 collecting litter and solid waste. Capital funds shall be distributed
35 among state agencies and local governments according to the same
36 criteria provided in RCW 70.93.220 for the remainder of the funds, so
37 that the most effective waste reduction, litter control, and recycling
38 programs receive the most funding. The intent of this subsection is to

1 provide funds for the purchase of equipment that will enable the
2 department to account for the greatest return on investment in terms of
3 reaching a zero litter goal.

4 ~~((4) During the 2009-2011 fiscal biennium, the legislature may
5 transfer from the waste reduction, recycling, and litter control
6 account to the state general fund such amounts as reflect the excess
7 fund balance of the account. Additionally, during the 2009-2011 fiscal
8 biennium, subsection (1)(a), (b), and (c) of this section is suspended.~~

9 ~~(5) During the 2011-2013 fiscal biennium, the legislature may
10 transfer from the waste reduction, recycling, and litter control
11 account to the state general fund such amounts as reflect the excess
12 fund balance of the account. Additionally, during the 2011-2013 fiscal
13 biennium, subsection (1)(a), (b), and (c) of this section is
14 suspended.))~~

15 **Sec. 19.** RCW 79A.05.215 and 2011 c 320 s 22 are each amended to
16 read as follows:

17 The state parks renewal and stewardship account is created in the
18 state treasury. Except as otherwise provided in this chapter, all
19 receipts from user fees, concessions, leases, donations collected under
20 RCW 46.16A.090(3), and other state park-based activities shall be
21 deposited into the account. The proceeds from the recreation access
22 pass account created in RCW 79A.80.090 ~~((must))~~ and amounts received
23 under RCW 82.19.040 may only be used for the purpose of operating and
24 maintaining state parks. Expenditures from the account may be used for
25 operating state parks, developing and renovating park facilities,
26 undertaking deferred maintenance, enhancing park stewardship, and other
27 state park purposes. Expenditures from the account may be made only
28 after appropriation by the legislature.

29 NEW SECTION. **Sec. 20.** Sections 17 through 19 of this act expire
30 June 30, 2017.

31 NEW SECTION. **Sec. 21.** RCW 79A.70.050 (Foundation moneys not to
32 supplant preexisting funding) and 2000 c 25 s 6 are each repealed.

33 NEW SECTION. **Sec. 22.** Sections 17 through 19 of this act are

1 necessary for the immediate preservation of the public peace, health,
2 or safety, or support of the state government and its existing public
3 institutions, and take effect July 1, 2013.

--- END ---