
SENATE BILL 5552

State of Washington

68th Legislature

2023 Regular Session

By Senators Fortunato, Padden, J. Wilson, Boehnke, Schoesler, and Hawkins

1 AN ACT Relating to permitting military exercises on state park
2 property; amending RCW 79A.05.030; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that it is in the
5 best interest of the state to support the armed forces present in
6 this state by authorizing the state parks and recreation commission
7 to permit military exercises on state park land.

8 **Sec. 2.** RCW 79A.05.030 and 2020 c 123 s 2 are each amended to
9 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
15 pertaining to the use, care, and administration of state parks and
16 parkways. The commission shall cause a copy of the rules to be kept
17 posted in a conspicuous place in every state park to which they are
18 applicable, but failure to post or keep any rule posted shall be no
19 defense to any prosecution for the violation thereof.

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

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

7 (5) Grant concessions or leases in state parks and parkways upon
8 such rentals, fees, or percentage of income or profits and for such
9 terms, in no event longer than (~~eighty~~) 80 years, except for a
10 lease associated with land or property described in RCW
11 79A.05.025(2)(b) which may not exceed (~~sixty-two~~) 62 years, and
12 upon such conditions as shall be approved by the commission.

13 (a) Leases exceeding a (~~twenty-year~~) 20-year term, or the
14 amendment or modification of these leases, shall require a vote
15 consistent with RCW 79A.05.025(2).

16 (b) If, during the term of any concession or lease, it is the
17 opinion of the commission that it would be in the best interest of
18 the state, the commission may, with the consent of the concessionaire
19 or lessee, alter and amend the terms and conditions of such
20 concession or lease.

21 (c) Television station leases shall be subject to the provisions
22 of RCW 79A.05.085.

23 (d) The rates of concessions or leases shall be renegotiated at
24 five-year intervals. No concession shall be granted which will
25 prevent the public from having free access to the scenic attractions
26 of any park or parkway.

27 (6) Employ such assistance as it deems necessary. Commission
28 expenses relating to its use of volunteer assistance shall be limited
29 to premiums or assessments for the insurance of volunteers by the
30 department of labor and industries, compensation of staff who assist
31 volunteers, materials and equipment used in authorized volunteer
32 projects, training, reimbursement of volunteer travel as provided in
33 RCW 43.03.050 and 43.03.060, and other reasonable expenses relating
34 to volunteer recognition. The commission, at its discretion, may
35 waive commission fees otherwise applicable to volunteers. The
36 commission shall not use volunteers to replace or supplant classified
37 positions. The use of volunteers may not lead to the elimination of
38 any employees or permanent positions in the bargaining unit.

39 (7) By majority vote of its authorized membership, select and
40 purchase or obtain options upon, lease, or otherwise acquire for and

1 in the name of the state such tracts of land, including shore and
2 tide lands, for park and parkway purposes as it deems proper. If the
3 commission cannot acquire any tract at a price it deems reasonable,
4 it may, by majority vote of its authorized membership, obtain title
5 thereto, or any part thereof, by condemnation proceedings conducted
6 by the attorney general as provided for the condemnation of rights-
7 of-way for state highways. Option agreements executed under authority
8 of this subsection shall be valid only if:

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

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

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

18 (8) Cooperate with the United States, or any county or city of
19 this state, in any matter pertaining to the acquisition, development,
20 redevelopment, renovation, care, control, or supervision of any park
21 or parkway, and enter into contracts in writing to that end. All
22 parks or parkways, to which the state contributed or in whose care,
23 control, or supervision the state participated pursuant to the
24 provisions of this section, shall be governed by the provisions
25 hereof.

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

30 (10) Adopt rules establishing the requirements for a criminal
31 history record information search for the following: Job applicants,
32 volunteers, and independent contractors who have unsupervised access
33 to children or vulnerable adults, or who will be responsible for
34 collecting or disbursing cash or processing credit/debit card
35 transactions. These background checks will be done through the
36 Washington state patrol criminal identification section and may
37 include a national check from the federal bureau of investigation,
38 which shall be through the submission of fingerprints. A permanent
39 employee of the commission, employed as of July 24, 2005, is exempt
40 from the provisions of this subsection.

1 (11) Support national defense by permitting the use of state park
2 property by the branches of the United States military, including the
3 Washington state national guard, for the purposes of military
4 training exercises. When appropriate, notice must be provided to the
5 public of the possibility of the military training exercises in a
6 manner that preserves national security, but that also provides
7 reassurance to the public and the opportunity to avoid interaction
8 with the military training exercises.

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