
HOUSE BILL 2899

State of Washington

66th Legislature

2020 Regular Session

By Representative Hudgins

1 AN ACT Relating to establishing the Washington state civil rights
2 trail program; and adding new sections to chapter 27.34 RCW.

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

4 NEW SECTION. **Sec. 1.** CIVIL RIGHTS TRAIL PROGRAM ESTABLISHED.

5 (1) The Washington state civil rights trail program is created with
6 the Washington state historical society as the managing agency. The
7 program is created to commemorate sites important to the
8 understanding of civil rights in Washington state and our nation.
9 Under the program, the society, in consultation with the civil rights
10 trail site advisory board, may recognize civil rights trail sites and
11 may provide site recognition awards as provided in sections 2 and 3
12 of this act.

13 (2) The society must establish an online resource that provides
14 the public with information about:

15 (a) How the public may access recognized information about civil
16 rights trail sites;

17 (b) How to nominate a site for recognition as a civil rights
18 trail site by the society; and

19 (c) How to apply for a civil rights trail site award.

1 NEW SECTION. **Sec. 2.** CIVIL RIGHTS TRAIL SITE RECOGNITION. (1)

2 The Washington state historical society, in consultation with the
3 civil rights trail advisory board, must establish a civil rights
4 trail site recognition process within the Washington state civil
5 rights trail program created under section 1 of this act. To receive
6 recognition as a civil rights trail site, an applicant must supply to
7 the society, at a minimum, photos of the location, a brief history of
8 the site, rationale for why and how the site should be recognized,
9 and must meet the criteria established under section 3(1)(b)(i) of
10 this act.

11 (2) The society must compile a list of sites that have been
12 created or recognized by local or state governments for their civil
13 rights importance as of the effective date of this section and
14 recognize those sites as part of the civil rights trail program.

15 (3) In compiling the list of sites required under subsection (2)
16 of this section, the following conditions apply:

17 (a) The society shall consider existing civil rights historical
18 markers in need of updating or that are relevant to potential
19 locations of civil rights significance;

20 (b) The society's consideration of new sites shall begin with
21 recognizing locations of African American significance in the context
22 of, and in preparation for, the state's recognition of black history
23 month; and

24 (c) The society shall consider new sites submitted by the public,
25 the advisory board, or organizations that the advisory board members
26 represent.

27 NEW SECTION. **Sec. 3.** CIVIL RIGHTS TRAIL SITE AWARD PROGRAM. (1)

28 The civil rights trail site award program is established within the
29 Washington state historical society to provide funding for site
30 markers, interpretive signs, site preservation, or site acquisition.

31 (a) The society may conduct a statewide solicitation of site
32 projects applications as part of the award process.

33 (b) A site is eligible for a civil rights trail site award if:

34 (i) The site meets minimum criteria established by the society
35 for historic and civil rights significance;

36 (ii) The site either already received a site recognition under
37 section 2 of this act or an application for recognition is submitted
38 concurrently with the award application and the society approves the
39 recognition; and

1 (iii) The award application is submitted by an eligible
2 applicant. Eligible applicants for a civil rights trail site award
3 include property owners, nonprofit organizations, tribes,
4 individuals, and units of state or local governments.

5 (2) By October 1, 2020, and annually thereafter, the society must
6 submit to the governor and the legislature a ranked list of qualified
7 eligible projects for which applications were received as part of a
8 separate capital budget request. The list must include a description
9 of the project, its estimated total cost, and the amount of state
10 funds requested. The society may not sign contracts or otherwise
11 financially obligate funds under this section until the legislature
12 has approved a specific list of projects.

13 (3) In developing the ranked list, the society, in consultation
14 with the civil rights trail advisory board, must evaluate and rank
15 the applications for funding awards based on the following criteria:

16 (a) Relative civil rights significance or value of the site to
17 the people of the state of Washington;

18 (b) Readiness of the applicant to initiate and complete the
19 project; and

20 (c) Extent to which the project leverages other sources of
21 financial assistance.

22 (4) The society must include provisions in the contracts for the
23 awards that require the capital improvements to be held by the award
24 recipient for a specified period of time appropriate to the amount of
25 the award.

26 (5) The conditions in this subsection must be met by the award
27 recipient in order to satisfy the public benefit requirements of the
28 civil rights trail recognition award program.

29 (a) The award recipient must proactively maintain the investment
30 for a specified amount of time.

31 (b) The award recipient must provide for public access to the
32 exterior of properties that are not visible from a public right-of-
33 way under reasonable terms and circumstances.

34 (6) If the award recipient is found to be out of compliance with
35 provisions of the contract, the award recipient must repay to the
36 state general fund the principal amount of the award plus interest
37 calculated at the rate of interest on state of Washington general
38 obligation bonds issued most closely to the date of authorization of
39 the award.

1 NEW SECTION. **Sec. 4.** CIVIL RIGHTS TRAIL ADVISORY BOARD. (1) The
2 Washington state civil rights trail advisory board is established
3 with the following membership:

4 (a) The director of the Washington state historical society, or
5 designee from the society appointed by the director;

6 (b) One member representing the Washington state commission on
7 African American affairs;

8 (c) One member representing the Washington state commission on
9 Hispanic affairs;

10 (d) One member representing the Washington state commission on
11 Asian Pacific American affairs;

12 (e) One member representing the governor's office of Indian
13 affairs;

14 (f) One member representing the Washington state women's
15 commission;

16 (g) One member of the department of archaeology and historic
17 preservation;

18 (h) One member from the eastern Washington state historical
19 society;

20 (i) Two members appointed by the governor. These gubernatorial
21 appointees must have civil rights expertise;

22 (j) One member from the LGBTQ commission;

23 (k) One member who is a University of Washington professor with
24 expertise in civil rights, history, or the bill of rights in the
25 United States Constitution; and

26 (l) One member representing the Pacific Northwest labor history
27 association or another labor history organization.

28 (2) The director of the Washington state historical society or
29 director's designee may serve as chair, or the director may appoint a
30 member from the advisory board to serve as chair.

31 (3) The advisory board must provide advice to the director
32 regarding:

33 (a) The criteria and process for a site to be recognized through
34 the civil rights trail program;

35 (b) The criteria for determining eligibility for civil rights
36 trail site awards, including contracting provisions between the
37 society and award recipient; and

38 (c) The evaluation, selection, and ranking of projects for
39 submission to the governor and legislature as required in section 3
40 of this act for funding through the civil rights trail award program.

1 (4) The public organizations of the advisory board members must
2 assist in providing outreach to solicit applications for site
3 recognition and awards.

4 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act are each
5 added to chapter 27.34 RCW.

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