

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2594

Chapter 153, Laws of 1992

52nd Legislature
1992 Regular Session

WILDLIFE AND RECREATION LANDS MANAGEMENT ACT

EFFECTIVE DATE: 6/11/92

Passed by the House March 7, 1992
Yeas 96 Nays 0

JOE KING
**Speaker of the
House of Representatives**

Passed by the Senate March 3, 1992
Yeas 45 Nays 0

JOEL PRITCHARD
President of the Senate

Approved April 1, 1992

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 2594 as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

April 1, 1992 - 10:32 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2594

AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By House Committee on Natural Resources & Parks (originally sponsored by Representatives Fraser, Beck, Belcher, Brumsickle, Basich, Wynne and J. Kohl; by request of Interagency for Outdoor Recreation)

Read first time 02/07/92.

1 AN ACT Relating to the establishment of an account for the
2 operation and maintenance of state-owned fish and wildlife habitat,
3 natural areas such as natural area preserves and natural resource
4 conservation areas, parks, and other recreation lands; adding a new
5 chapter to Title 43 RCW; and creating new sections.

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

7 NEW SECTION. **Sec. 1.** SHORT TITLE. This chapter shall be known as
8 the state wildlife and recreation lands management act.

9 NEW SECTION. **Sec. 2.** FINDINGS AND PURPOSE. (1) The legislature
10 finds that:

11 (a) The state of Washington owns and maintains a wide variety of
12 fish and wildlife habitat, natural areas, parks, and other recreation
13 lands;

1 (b) The state of Washington is responsible for managing these lands
2 for the benefit of the citizens, wildlife, and other natural resources
3 of the state;

4 (c) The state of Washington has recently significantly enhanced its
5 efforts to acquire critical habitat, natural areas, parks, and other
6 recreation lands and to transfer suitable lands from school trust to
7 conservation and park purposes;

8 (d) Recent unprecedented population growth has greatly increased
9 the threat to the state's fish and wildlife habitat and the demands
10 placed on the lands under (a) of this subsection;

11 (e) The importance of this habitat and these lands to the state is
12 continuing to increase as more people depend on them to satisfy their
13 needs and more plant and animal species require state-owned lands for
14 their survival;

15 (f) By itself, public ownership cannot guarantee that resources
16 will be protected, or that appropriate recreational opportunities will
17 be provided;

18 (g) Only through ongoing, responsible management can fish and
19 wildlife habitat, sensitive ecosystems, and recreational values be
20 protected;

21 (h) The operation and maintenance funding for state-owned fish and
22 wildlife habitat, natural areas, parks, and other recreation lands has
23 not kept pace with increasing demands placed upon such lands;

24 (i) Many needed operation and maintenance projects have been
25 deferred due to insufficient funding, resulting in increased costs when
26 the projects are finally undertaken; and

27 (j) An increase in operation and maintenance funding is necessary
28 to bring state-owned lands and facilities up to acceptable standards
29 and to protect the state's investment in its fish and wildlife habitat,
30 natural areas, parks, and other recreation lands.

1 (2) Therefore, it is the policy of the state to provide adequate
2 and continuing funding for operation and maintenance needs of state-
3 owned fish and wildlife habitat, natural areas, parks, and other
4 recreation lands to protect the state's investment in such lands, and
5 it is the purpose of this chapter to create a mechanism for doing so.

6 NEW SECTION. **Sec. 3.** DEFINITIONS. The definitions set forth in
7 this section apply throughout this chapter.

8 (1) "Basic stewardship" means the costs associated with holding and
9 protecting property to maintain the functions for which the property
10 was acquired. It includes, but is not limited to, costs associated
11 with statutorily required in-lieu property taxes, weed and pest
12 control, fire protection, fence maintenance, cultural and
13 archaeological site protection, basic research related to maintenance
14 of natural area preserves and natural resource conservation areas,
15 basic resource and environmental protection, and meeting applicable
16 legal requirements.

17 (2) "Improved or developed resources" means the costs associated
18 with the built or manipulated environment. It includes, but is not
19 limited to, costs associated with maintaining buildings, grounds,
20 roads, trails, water access sites, and utility systems. Also included
21 are improvements to habitat such as bank stabilization, range
22 rehabilitation, and food and water sources.

23 (3) "Human use management" means the costs associated with visitor
24 management, education, and protection.

25 (4) "Administration" means state agency costs necessary to support
26 subsections (1) through (3) of this section. It includes, but is not
27 limited to, budget and accounting, personnel support services,
28 volunteer programs, and training.

1 NEW SECTION. **Sec. 4.** STATE WILDLIFE AND RECREATION LANDS
2 MANAGEMENT ACCOUNT. There is created the state wildlife and recreation
3 lands management account in the state treasury.

4 (1) Moneys accumulated under this chapter shall be used exclusively
5 for the purposes specified in this chapter. Those purposes are to
6 support operation and maintenance activities and costs associated with
7 owning and managing state fish and wildlife habitat, natural areas such
8 as natural area preserves and natural resource conservation areas,
9 parks, and other recreation lands and include:

- 10 (a) Basic stewardship;
- 11 (b) Improved or developed resources;
- 12 (c) Human use management; and
- 13 (d) Administration.

14 Land acquisition, facility development or replacement, major renovation
15 projects, improvement or rehabilitation projects normally funded
16 through the capital budget, and operation and maintenance of state fish
17 hatcheries are excluded.

18 (2) No expenditures may be made from this account without
19 legislative appropriation.

20 NEW SECTION. **Sec. 5.** ALLOCATION AND DISTRIBUTION OF MONEYS. (1)
21 Moneys appropriated for this chapter from the state wildlife and
22 recreation lands management account shall be expended in the following
23 manner:

- 24 (a) Not less than thirty percent for basic stewardship;
- 25 (b) Not less than twenty percent for improved or developed
26 resources;
- 27 (c) Not less than fifteen percent for human use management; and
- 28 (d) Not more than fifteen percent for administration.

1 (e) The remaining twenty to thirty-five percent shall be considered
2 unallocated.

3 (2) In the event that moneys appropriated for this chapter to the
4 state wildlife and recreation lands management account under the
5 initial allocation prove insufficient to meet basic stewardship needs,
6 the unallocated amount shall be used to fund basic stewardship needs.

7 (3) Each eligible agency is not required to meet this specific
8 percentage distribution. However, funding across agencies should meet
9 these percentages during each biennium.

10 (4) It is intended that moneys disbursed from this account not
11 replace existing operation and maintenance funding levels from other
12 state sources.

13 (5) Agencies eligible to receive funds from this account are the
14 departments of fisheries, natural resources, and wildlife, and the
15 state parks and recreation commission.

16 (6) Moneys appropriated for this chapter from the state wildlife
17 and recreation lands management account shall be distributed in the
18 following manner:

19 (a) Not less than twenty-five percent to the state parks and
20 recreation commission.

21 (b) Not less than twenty-five percent to the department of natural
22 resources.

23 (c) Not less than twenty-five percent to the department of
24 wildlife.

25 (d) The remaining funds shall be allocated to eligible agencies
26 based upon an evaluation of remaining unfunded needs.

27 (7) The office of financial management shall review eligible state
28 agency requests and make recommendations on the allocation of funds
29 provided under this chapter as part of the governor's operating budget
30 request to the legislature.

1 NEW SECTION. **Sec. 6.** STATE WILDLIFE AND RECREATION LANDS

2 MANAGEMENT TASK FORCE. (1) A state wildlife and recreation lands
3 management task force is hereby created to develop recommendations
4 regarding a new long-term funding source or sources to meet the
5 requirements of this chapter. The task force shall investigate
6 possible opportunities for the use of future appropriations for habitat
7 conservation and outdoor recreation lands under chapter 43.98A RCW in
8 meeting major operations and maintenance funding needs. The task force
9 shall also report on funding needed to assist counties with the
10 required police, fire protection, and other local services provided to
11 protect state-owned fish and wildlife habitat, natural areas, parks,
12 and other recreation lands.

13 (2)(a) The task force shall be composed of seven voting members,
14 appointed by the governor, representing different regions of the state.

15 (b) The task force shall include as ex officio, nonvoting members,
16 one member from each of the departments of fisheries, wildlife, and
17 natural resources, the state parks and recreation commission, and the
18 office of financial management appointed by the respective directors.
19 The president of the senate and the speaker of the house of
20 representatives shall each appoint one nonvoting member from each
21 caucus of their respective legislative bodies.

22 (3) The chair of the task force shall be a citizen member and shall
23 be chosen by the governor.

24 (4) The task force appointments shall be made by May 15, 1992.

25 (5) The task force shall provide for public involvement in the
26 development of the recommendations.

27 (6) The interagency committee for outdoor recreation and the office
28 of financial management shall provide staff support and technical
29 assistance to the task force. All participant agencies and the

1 department of revenue shall cooperate in the development of the
2 recommendations and shall provide relevant information as needed.

3 (7) A report and recommendations shall be submitted to the governor
4 and standing committees of the legislature by September 15, 1992.

5 NEW SECTION. **Sec. 7.** SEVERABILITY. If any provision of this act
6 or its application to any person or circumstance is held invalid, the
7 remainder of the act or the application of the provision to other
8 persons or circumstances is not affected.

9 NEW SECTION. **Sec. 8.** CAPTIONS NOT LAW. Section headings as used
10 in this act do not constitute any part of the law.

11 NEW SECTION. **Sec. 9.** Sections 1 through 5 and 7 of this act
12 shall constitute a new chapter in Title 43 RCW.

Passed the House March 7, 1992.

Passed the Senate March 3, 1992.

Approved by the Governor April 1, 1992.

Filed in Office of Secretary of State April 1, 1992.