

SENATE BILL REPORT

SB 6734

As of January 31, 1996

Title: An act relating to gifts of land for public recreation and conservation uses.

Brief Description: Authorizing the use of unallocated funds in the habitat conservation and outdoor recreation accounts in conjunction with gifts to the public of habitat or recreation lands.

Sponsors: Senators Strannigan, Fraser, Swecker, Spanel, Winsley, Long and Haugen.

Brief History:

Committee Activity: Ecology & Parks: 2/1/96.

SENATE COMMITTEE ON ECOLOGY & PARKS

Staff: Gary Wilburn (786-7453)

Background: The Washington Wildlife and Recreation Program (WWRP) was enacted by the Legislature in 1990 for the purpose of providing funding to state and local agencies for the acquisition of wildlife conservation and recreational lands to be administered by state and local agencies. Under the program, funding is provided equally from two accounts, with categories and specified percentages of funding applicable to each category. The Outdoor Recreation Account provides funding to state park and local parks agencies (25 percent each), for trails (15 percent), for water access projects (10 percent), and an unallocated category (25 percent). The Habitat Conservation Account funds critical habitat (35 percent), natural areas (20 percent), urban wildlife habitat (15 percent), and 30 percent of the funding is in an unallocated category. Funds from both accounts may be used for acquisition and development costs, but not for operation and maintenance. During the first five years of the program, the Legislature appropriated a total of \$179 million to the accounts for grant awards.

Projects are selected through a competitive scoring process by the Interagency Committee for Outdoor Recreation (IAC). Following peer review and public meetings, the IAC establishes a ranked list of projects for submission to the Governor for approval. As part of the capital budget, the Governor submits a proposed project list and funding levels to the Legislature. Both the Governor and Legislature may remove projects from the recommended list, but may not add projects or rearrange the rankings.

Under the WWRP legislation, costs incidental to the acquisition are eligible for funding, such as surveying expenses, fencing and signing. A project applicant may propose acquisition that includes a gift of real property, but the program legislation is silent regarding the priority which such applications should receive and the types of costs associated with the gift that may be included in a WWRP grant.

Summary of Bill: The unallocated categories of the Habitat Conservation and Outdoor Recreation Accounts are amended to specify that high priority acquisition needs may include payment of transfer costs, such as legal fees, and compensating and property taxes, that are due for gifts of land to state or local entities. Under the Habitat Conservation Account, eligible costs incidental to acquisition include such legal fees and taxes.

The IAC must give priority consideration to gifts of land that meet the general criteria for acquisition. For each year, not less than \$100,000 must remain in reserve in the unallocated categories of both accounts for payment fees and taxes due for gifts of land to state or local entities. These gifts and the payment of incidental fees and costs are removed from the requirement that the IAC not obligate funds before the Legislature has appropriated funds for a specific list of projects.

Appropriation: None.

Fiscal Note: Requested on January 29, 1996.

Effective Date: Ninety days after adjournment of session in which bill is passed.