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**SUBSTITUTE HOUSE BILL 1617**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** House Committee on Natural Resources (originally sponsored by Representatives McMorris, Pelesky, Fuhrman, L. Thomas, Pennington, Schoesler, McMahan, Buck, Silver, Hankins, Chandler, Sheahan, Goldsmith, Mulliken, Johnson, Thompson, Skinner, Casada, Sherstad, Delvin, Lambert, Koster, D. Schmidt, Stevens, Hargrove, Van Luven, Smith, Horn, Boldt, Talcott, Huff, Sheldon, Elliot, Brumsickle, Mielke, Reams, Carrell, Backlund, Campbell, Crouse, Lisk, Cairnes, Padden, Clements, Dyer, B. Thomas, Mastin and Benton)

Read first time 02/24/95.

1 AN ACT Relating to the acquisition of habitat conservation and  
2 outdoor recreation lands; amending RCW 43.98A.030 and 43.98A.040;  
3 creating a new section; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** It is the purpose of this act to establish  
6 a moratorium on the acquisition of lands for natural areas and critical  
7 habitat by state agencies through the Washington wildlife and  
8 recreation program.

9 **Sec. 2.** RCW 43.98A.030 and 1990 1st ex.s. c 14 s 4 are each  
10 amended to read as follows:

11 (1) Except as provided in subsection (6) of this section, moneys  
12 appropriated for this chapter shall be divided equally between the  
13 habitat conservation and outdoor recreation accounts and shall be used  
14 exclusively for the purposes specified in this chapter.

15 (2) Moneys deposited in these accounts shall be invested as  
16 authorized for other state funds, and any earnings on them shall be  
17 credited to the respective account.

1 (3) All moneys deposited in the habitat conservation and outdoor  
2 recreation accounts shall be allocated under RCW 43.98A.040 and  
3 43.98A.050 as grants to state or local agencies for acquisition,  
4 development, and renovation within the jurisdiction of those agencies,  
5 subject to legislative appropriation. The committee may use or permit  
6 the use of any funds appropriated for this chapter as matching funds  
7 where federal, local, or other funds are made available for projects  
8 within the purposes of this chapter.

9 (4) Projects receiving grants under this chapter that are developed  
10 or otherwise accessible for public recreational uses shall be available  
11 to the public on a nondiscriminatory basis.

12 (5) The committee may make grants to an eligible project from both  
13 the habitat conservation and outdoor recreation accounts and any one or  
14 more of the applicable categories under such accounts described in RCW  
15 43.98A.040 and 43.98A.050.

16 (6) For the 1995-1997 biennium, moneys appropriated for this  
17 chapter shall be divided as follows: Thirteen percent of the moneys  
18 appropriated shall be deposited in the habitat conservation account,  
19 and the remainder shall be deposited in the outdoor recreation account.

20 **Sec. 3.** RCW 43.98A.040 and 1990 1st ex.s. c 14 s 5 are each  
21 amended to read as follows:

22 (1) Except as provided in subsection (5) of this section, moneys  
23 appropriated for this chapter to the habitat conservation account shall  
24 be distributed in the following way:

25 (a) Not less than thirty-five percent for the acquisition and  
26 development of critical habitat;

27 (b) Not less than twenty percent for the acquisition and  
28 development of natural areas;

29 (c) Not less than fifteen percent for the acquisition and  
30 development of urban wildlife habitat; and

31 (d) The remaining amount shall be considered unallocated and shall  
32 be used by the committee to fund high priority acquisition and  
33 development needs for critical habitat, natural areas, and urban  
34 wildlife habitat.

35 (2) In distributing these funds, the committee retains discretion  
36 to meet the most pressing needs for critical habitat, natural areas,  
37 and urban wildlife habitat, and is not required to meet the percentages  
38 described in subsection (1) of this section in any one biennium.

1 (3) Only state agencies may apply for acquisition and development  
2 funds for critical habitat and natural areas projects under subsection  
3 (1) (a), (b), and (d) of this section.

4 (4) State and local agencies may apply for acquisition and  
5 development funds for urban wildlife habitat projects under subsection  
6 (1) (c) and (d) of this section.

7 (5) Until July 1, 1997, no moneys appropriated for this chapter to  
8 the habitat conservation account may be used to acquire land for  
9 critical habitat or natural areas unless a specific purchase contract  
10 with the landowner has been signed and is in effect on the effective  
11 date of this act.

12 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
13 preservation of the public peace, health, or safety, or support of the  
14 state government and its existing public institutions, and shall take  
15 effect immediately.

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