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**SUBSTITUTE SENATE BILL 6257**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** Senate Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Oke, Owen and von Reichbauer; by request of Interagency for Outdoor Recreation)

Read first time 02/06/92.

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 a new section.

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) 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.

6        (b) The temporary task force shall also report on funding needed to  
7 assist counties with the required police, fire protection, and other  
8 local services provided to protect state-owned fish and wildlife  
9 habitat, natural areas, parks, and other recreation lands.

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

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

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

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

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

24       (6) The interagency committee for outdoor recreation and the office  
25 of financial management shall provide staff support and technical  
26 assistance to the task force. All participant agencies and the  
27 department of revenue shall cooperate in the development of the  
28 recommendations and shall provide relevant information as needed.

29       (7) A report and recommendations shall be submitted to the governor  
30 and standing committees of the legislature by September 15, 1993.

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

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

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