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HOUSE BILL 1426

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives Morris, King, Orr, Basich, Karahalios, Brumsickle, Morton, Ogden, Bray, Shin, Pruitt, Brown, G. Cole, Rust, Springer, Kremen, J. Kohl and Jacobsen

Read first time 01/27/93. Referred to Committee on Fisheries & Wildlife.

1 AN ACT Relating to preservation of wildlife lands; adding a new  
2 chapter to Title 77 RCW; and making an appropriation.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that wildlife habitat  
5 is being lost at a high rate and that inadequate institutional and  
6 funding mechanisms are available for acquisition and long-term  
7 protection of such habitat. It is the intent of the legislature to  
8 develop a public and private partnership for the specific purpose of  
9 preserving wildlife habitat, which is in the public interest.

10 NEW SECTION. **Sec. 2.** Unless the context clearly requires  
11 otherwise, the definitions in this section apply throughout this  
12 chapter.

13 (1) "Board" means the board of the Washington wildlife heritage  
14 land trust.

15 (2) "Department" means the department of wildlife.

16 (3) "Director" means the director of the department of wildlife.

17 (4) "Trust" means the Washington wildlife heritage land trust.

1        NEW SECTION.    **Sec. 3.**    The director is authorized to form a public  
2 nonprofit corporation in the same manner as a private nonprofit  
3 corporation is formed under chapter 24.03 RCW. The public corporation  
4 shall be called the Washington wildlife heritage land trust, and shall  
5 be an instrumentality of the state and have all the powers and be  
6 subject to the same restrictions as are permitted or prescribed to  
7 private nonprofit corporations, but shall exercise those powers only  
8 for carrying out the purposes of this chapter and those purposes  
9 necessarily implied from this chapter.

10        NEW SECTION.    **Sec. 4.**    Upon formation of the corporation authorized  
11 in section 3 of this act, the director shall appoint a board of not  
12 more than fifteen members to administer the trust. The appointments  
13 shall be subject to confirmation by the wildlife commission. The board  
14 shall elect a chair and an executive secretary and shall adopt rules  
15 under chapter 34.05 RCW for the conduct of its meetings. The board  
16 shall meet at least quarterly. Members of the board shall receive no  
17 additional compensation for their services except travel expenses shall  
18 be allowed in accordance with RCW 43.03.050 and 43.03.060. Decisions  
19 of the board shall be subject to final approval by the director.

20        NEW SECTION.    **Sec. 5.**    The duties of the board shall be to:

21        (1) Enable public acquisition of wildlife habitat using donations  
22 and oversee the management, acquisition, exchange, and sale of lands  
23 and land rights by the trust that have value to the public as rural and  
24 urban wildlife habitat;

25        (2) Educate Washington citizens about opportunities to voluntarily  
26 support habitat conservation;

27        (3) Work with landowners to encourage public recreational, hunting,  
28 and fishing access to their lands; and

29        (4) Work with federal, state, and local agencies and private  
30 organizations to accept land interests that are in the public interest.

31        NEW SECTION.    **Sec. 6.**    The board may solicit gifts, grants,  
32 conveyances, bequests, and devises, whether of real or personal  
33 property, or both, in fee or less than fee, in trust or otherwise, for  
34 the purposes outlined in section 5 of this act. The board may manage  
35 such properties and is authorized to place revenues derived from the  
36 sale of products extracted from these properties into the Washington

1 wildlife heritage trust fund created in section 8 of this act. The  
2 board may solicit contracts for work, financial and in-kind  
3 contributions, and support from private industries, interest groups,  
4 federal and state sources, and other sources for the purposes of this  
5 chapter. The board shall have access to state agency maintained lists  
6 of natural resource users, license holders, and recreationists for the  
7 purposes of this chapter.

8 All receipts shall be placed by the board into the Washington  
9 wildlife heritage trust fund created in section 8 of this act.

10 NEW SECTION. **Sec. 7.** The board shall hire such staff as are  
11 necessary to carry out the intent of sections 5 and 6 of this act.  
12 Staff shall be employees of the trust and exempt from the civil service  
13 provisions of Title 41 RCW. Salaries and expenses for all staff to the  
14 board shall be paid out of the Washington wildlife heritage trust fund.

15 NEW SECTION. **Sec. 8.** The Washington wildlife heritage trust fund  
16 is created in the custody of the state treasurer. All receipts  
17 obtained by the board including land held in trust pursuant to section  
18 6 of this act shall be deposited into the fund. Expenditures from the  
19 fund or income from sales of land held in trust or of products  
20 extracted from the land may be used for the purposes outlined in  
21 sections 5 through 7 of this act. Expenditures shall also be used to  
22 repay the state wildlife fund the amount appropriated under section 11,  
23 chapter . . ., Laws of 1993 (section 11 of this act), with interest.  
24 Only the chair of the board may authorize expenditures from the fund,  
25 subject to approval by the director. The fund is subject to allotment  
26 procedures under chapter 43.88 RCW, but no appropriation is required  
27 for expenditures. The state treasurer may, upon request by the  
28 director, transfer funds between the Washington wildlife heritage trust  
29 fund and the state wildlife fund solely for the purpose of repaying  
30 moneys pursuant to section 11, chapter . . ., Laws of 1993 (section 11  
31 of this act).

32 NEW SECTION. **Sec. 9.** Land and land rights held by the trust shall  
33 not be considered game lands subject to RCW 77.12.201 or 77.12.203, or  
34 property owned, leased, or held by the department and subject to RCW  
35 77.12.210.

1        NEW SECTION.    **Sec. 10.**    Sections 1 through 9 of this act shall  
2    constitute a new chapter in Title 77 RCW.

3        NEW SECTION.    **Sec. 11.**    The sum of two hundred fifty thousand  
4    dollars, or as much thereof as may be necessary, is appropriated,  
5    subject to repayment as authorized under section 8 of this act, for the  
6    biennium ending June 30, 1995, from the wildlife account to the  
7    Washington wildlife heritage trust fund for the purposes of carrying  
8    out the provisions of sections 5 through 7 of this act.

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