

HOUSE BILL REPORT

ESHB 1803

As Passed House:

March 17, 2003

Title: An act relating to the creation of the legacy trust for recreation and conservation.

Brief Description: Studying the creation of the legacy trust proposal.

Sponsors: By House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville, Rockefeller, Anderson, Delvin, McDermott, McIntire, Woods and Simpson; by request of Commissioner of Public Lands).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/21/03, 3/5/03 [DPS].

Floor Activity:

Passed House: 3/17/03, 75-22.

Brief Summary of Engrossed Substitute Bill

- Creates the Joint Select Committee on the Legacy Trust Proposal.
- Provides the Department of Natural Resources with temporary authority to hold gifted lands separate from state land trusts.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Linville, Chair; Rockefeller, Vice Chair; Eickmeyer, Grant, Hunt, McDermott, Quall and Sump.

Minority Report: Do not pass. Signed by 5 members: Representatives Schoesler, Ranking Minority Member; Holmquist, Assistant Ranking Minority Member; Kristiansen, Assistant Ranking Minority Member; Chandler and Orcutt.

Staff: Jason Callahan (786-7117).

Background:

The Department of Natural Resources (DNR) manages state land for a number of

different purposes. The DNR is also charged with the responsibility of managing aquatic lands, Natural Area Preserves and Natural Resource Conservation Areas.

The Legislature has directed the DNR to manage state lands for multiple uses, including recreation, when those uses do not conflict with the management goals of the land. Public uses of state land include camp sites, picnic areas, trails, and educational and scientific research areas.

Summary of Engrossed Substitute Bill:

The Joint Select Committee on the Legacy Trust Proposal (Committee) is created to meet in the interim between the 2003 and 2004 session and study the Legacy Trust proposal offered by the Commissioner of Public Lands and any alternatives that would establish a long-term funding source to finance access and use of state-owned lands. Membership of the Committee will be composed of one member from each caucus from the following committees: House Agriculture and Natural Resources; House Capital Budget; Senate Parks, Fish, and Wildlife; and Senate Ways and Means. Recommendations will be due by the end of 2003 and will take the form of draft legislation. Staff to the Committee will be provided by the Office of Program Research and Senate Committee Services.

Until June 30, 2004, the DNR may hold gifted lands separate from any state land trusts. If the Legacy Trust is created by the 2004 Legislature, then the lands would be dedicated for that trust. If the Legacy Trust is not created, any held lands would become part of the Common Schools trust.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (Original bill) DNR lands provide recreational opportunities throughout the state, but providing funding to support those activities is a challenge. Recreation on DNR lands is different from park lands, and DNR lands have different funding needs. DNR recreation occurs across the landscape and as an element in the multiple uses of a working forest. In contrast, park land recreation occurs at discreet sites. Recreation on DNR lands include hiking, bicycling, dirt-biking, horseback riding, and 4X4 riding. Funding for this recreation has become diluted and uncertain. The Legacy Trust is a creative way to secure this funding that is revenue neutral to the counties.

In addition to recreational areas, the DNR needs to secure funding for the management of

natural areas. Natural areas contain rare examples of Washington's natural heritage and protects wildlife habitat, but the land still needs to be managed through activities such as weed control.

The DNR currently partners with volunteers to upkeep what they can. Thousands of hours are volunteered each year, saving the state millions of dollars. Volunteers build trails, clean trails, repair facilities, and sponsor fund raisers. These volunteers are asked to make long-term commitments, but the state cannot reciprocate due to the funding situation.

Every year more trails close, while the demand increases. It is important to communities that recreational opportunities are provided in state forests. Access to land provides a public benefit in terms of both recreation and commerce in rural communities. The Legacy Trust could maintain current recreational areas and allow closed areas to reopen. The general public does not distinguish between land managed by the DNR and land managed by the Parks and Recreation Commission. The public just knows that it wants recreation.

Testimony Against: (Original bill) The Legacy Trust proposal leaves uncertainty as to which lands will be purchased. It may also compete with the other trusts that the DNR manages, which would cause decreased revenue to the trust beneficiaries.

The proposal would take more private lands off of the tax rolls. When land is removed from private ownership, it has a ripple effect on the local economy. This effect causes a downward spiral in rural communities. The DNR already owns enough land, and it should not buy more so that it can be in the business of recreation.

The DNR has shown with their wheat field holdings that they are not always the greatest land steward. Land in private ownership is usually managed better.

Alternative proposals could assure true revenue neutrality to the counties and reach the same goal without increasing the state's land ownership.

Testified: (In support) Doug Sutherland and Vicki Christiansen, Department of Natural Resources; Denise Tjelde, Tacoma Trail Cruisers; Ben Walters, Capital Bicycle Club; Ken Konigsmarte, Mountains to Sound Greenway Trust; Walter H. Olsen, National Association of Competitive Orienteering; Jim King, Citizens for Parks and Research; Frances Troje, The Mountaineers; and Arlene Brooks, Pacific Northwest 4-Wheel Drive Association.

(Concerns) Mike Ryherd, Northwest Ecosystems Alliance.

(Opposed) Heather Hansen, Washington Association of Wheat Growers; and Bill Pickell, Washington Contract Loggers.

