

SSB 6052 - S AMD 522

By Senators Honeyford, Liiias, Pearson

ADOPTED 02/18/2014

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 79A.25.260 and 2012 c 128 s 1 are each amended to
4 read as follows:

5 (1) The habitat and recreation lands coordinating group is
6 established. The group must include representatives from the office,
7 the state parks and recreation commission, the department of natural
8 resources, and the department of fish and wildlife. The members of the
9 group must have subject matter expertise with the issues presented in
10 this section. Representatives from appropriate stakeholder
11 organizations and local government must also be considered for
12 participation on the group, but may only be appointed or invited by the
13 director.

14 (2) To ensure timely completion of the duties assigned to the
15 group, the director shall submit yearly progress reports to the office
16 of financial management and the appropriate committees of the senate
17 and house of representatives.

18 (3) The group must:

19 (a) Review agency land acquisition and disposal plans and policies
20 to help ensure statewide coordination of habitat and recreation land
21 acquisitions and disposals;

22 (b) (~~Produce~~) Provide an interagency, statewide biennial forecast
23 report of habitat and recreation land acquisition and disposal plans to
24 the office of financial management and the appropriate committees of
25 the senate and house of representatives by November 1st of each even-
26 numbered year. At a minimum, the forecast report must include:

27 (i) The anticipated costs of purchasing each proposed property to
28 be acquired and the sources of funding for the acquisition;

29 (ii) The number of acres planned for each acquisition;

1 (iii) The purposes and intended uses of each property to be
2 acquired;
3 (iv) A set of detailed and measurable goals for each acquisition;
4 (v) A plan to track whether each acquisition is meeting the
5 identified goals; and
6 (vi) The plan for operation and maintenance of each acquisition,
7 including:
8 (A) The ongoing and one-time projects associated with operation and
9 maintenance of each property;
10 (B) The anticipated and range of potential operating and capital
11 costs, including payment in lieu of taxes, associated with the
12 operation and maintenance of each property; and
13 (C) The anticipated funding sources for the operating and capital
14 costs;
15 (c) Establish procedures for publishing the biennial forecast of
16 acquisition and disposal plans on web sites or other centralized,
17 easily accessible formats;
18 (d) Develop and convene (~~(an annual)~~) a biennial forum for agencies
19 to coordinate their near-term acquisition and disposal plans;
20 (e) Develop a recommended method for interagency geographic
21 information system-based documentation of habitat and recreation lands
22 in cooperation with other state agencies using geographic information
23 systems;
24 (f) Develop recommendations for standardization of acquisition and
25 disposal recordkeeping, including identifying a preferred process for
26 centralizing acquisition data;
27 (g) Develop an approach for monitoring the success of acquisitions.
28 At a minimum, the approach must include providing a biennial monitoring
29 report to the office of financial management and the appropriate
30 committees of the senate and house of representatives by July 1st of
31 each odd-numbered year. The report must include recent acquisition
32 projects and must include:
33 (i) The purchase cost and sources of funding;
34 (ii) The number of acres acquired;
35 (iii) The actual and anticipated operations and maintenance
36 expenditures and fund sources of those expenditures;
37 (iv) The actual costs associated with the payment in lieu of taxes
38 on the real property; and

1 (v) The actual use of the property and the results of the
2 postacquisition monitoring;

3 (h) By July 1, 2025, and every ten years thereafter, summarize the
4 previous ten years of postacquisition monitoring and identify:
5 Properties that are meeting detailed and measurable goals identified
6 upon acquisition; properties that are not meeting the goals identified,
7 but are likely to do so in the foreseeable future; and properties that
8 are not meeting the goals identified and are not likely to do so in the
9 foreseeable future. For each property that is not meeting the goals
10 identified, the report must describe any progress made towards the
11 goals, the reasons the goals have not been achieved, and the estimated
12 time frame for meeting the goals;

13 (i) Identify and commence a dialogue with key state and federal
14 partners to develop an inventory of potential public lands for transfer
15 into habitat and recreation land management status; and

16 ~~((+i))~~ (j) Review existing and proposed habitat conservation plans
17 on a regular basis to foster statewide coordination and save costs.

18 (4) If prioritization among the various requirements of subsection
19 (3) of this section is necessary due to the availability of resources,
20 the group shall prioritize implementation of subsection (3)(a) through
21 (d) and (g) of this section.

22 (5) The group shall revisit the planning requirements of relevant
23 grant programs administered by the office to determine whether
24 coordination of state agency habitat and recreation land acquisition
25 and disposal could be improved by modifying those requirements.

26 (6) The group must develop options for centralizing coordination of
27 habitat and recreation land acquisition made with funds from federal
28 grants. The advantages and drawbacks of the following options, at a
29 minimum, must be developed:

30 (a) Requiring that agencies provide early communication on the
31 status of federal grant applications to the office, the office of
32 financial management, or directly to the legislature;

33 (b) Establishing a centralized pass-through agency for federal
34 funds, where individual agencies would be the primary applicants.

35 ~~((7) This section expires July 31, 2017. Prior to January 1,~~
36 ~~2017, the group shall make a formal recommendation to the board and the~~
37 ~~appropriate committees of the legislature as to whether the existence~~

1 ~~of the habitat and recreation lands coordinating group should be~~
2 ~~continued beyond July 31, 2017, and if so, whether any modifications to~~
3 ~~its enabling statute should be pursued.))~~

4 **Sec. 2.** RCW 43.88.030 and 2006 c 334 s 43 are each amended to read
5 as follows:

6 (1) The director of financial management shall provide all agencies
7 with a complete set of instructions for submitting biennial budget
8 requests to the director at least three months before agency budget
9 documents are due into the office of financial management. The budget
10 document or documents shall consist of the governor's budget message
11 which shall be explanatory of the budget and shall contain an outline
12 of the proposed financial policies of the state for the ensuing fiscal
13 period, as well as an outline of the proposed six-year financial
14 policies where applicable, and shall describe in connection therewith
15 the important features of the budget. The biennial budget document or
16 documents shall also describe performance indicators that demonstrate
17 measurable progress towards priority results. The message shall set
18 forth the reasons for salient changes from the previous fiscal period
19 in expenditure and revenue items and shall explain any major changes in
20 financial policy. Attached to the budget message shall be such
21 supporting schedules, exhibits and other explanatory material in
22 respect to both current operations and capital improvements as the
23 governor shall deem to be useful to the legislature. The budget
24 document or documents shall set forth a proposal for expenditures in
25 the ensuing fiscal period, or six-year period where applicable, based
26 upon the estimated revenues and caseloads as approved by the economic
27 and revenue forecast council and caseload forecast council or upon the
28 estimated revenues and caseloads of the office of financial management
29 for those funds, accounts, sources, and programs for which the forecast
30 councils do not prepare an official forecast. Revenues shall be
31 estimated for such fiscal period from the source and at the rates
32 existing by law at the time of submission of the budget document,
33 including the supplemental budgets submitted in the even-numbered years
34 of a biennium. However, the estimated revenues and caseloads for use
35 in the governor's budget document may be adjusted to reflect budgetary
36 revenue transfers and revenue and caseload estimates dependent upon
37 budgetary assumptions of enrollments, workloads, and caseloads. All

1 adjustments to the approved estimated revenues and caseloads must be
2 set forth in the budget document. The governor may additionally
3 submit, as an appendix to each supplemental, biennial, or six-year
4 agency budget or to the budget document or documents, a proposal for
5 expenditures in the ensuing fiscal period from revenue sources derived
6 from proposed changes in existing statutes.

7 The budget document or documents shall also contain:

8 (a) Revenues classified by fund and source for the immediately past
9 fiscal period, those received or anticipated for the current fiscal
10 period, and those anticipated for the ensuing biennium;

11 (b) The undesignated fund balance or deficit, by fund;

12 (c) Such additional information dealing with expenditures,
13 revenues, workload, performance, and personnel as the legislature may
14 direct by law or concurrent resolution;

15 (d) Such additional information dealing with revenues and
16 expenditures as the governor shall deem pertinent and useful to the
17 legislature;

18 (e) Tabulations showing expenditures classified by fund, function,
19 and agency;

20 (f) The expenditures that include nonbudgeted, nonappropriated
21 accounts outside the state treasury;

22 (g) Identification of all proposed direct expenditures to implement
23 the Puget Sound water quality plan under chapter 90.71 RCW, shown by
24 agency and in total; and

25 (h) Tabulations showing each postretirement adjustment by
26 retirement system established after fiscal year 1991, to include, but
27 not be limited to, estimated total payments made to the end of the
28 previous biennial period, estimated payments for the present biennium,
29 and estimated payments for the ensuing biennium.

30 (2) The budget document or documents shall include detailed
31 estimates of all anticipated revenues applicable to proposed operating
32 or capital expenditures and shall also include all proposed operating
33 or capital expenditures. The total of beginning undesignated fund
34 balance and estimated revenues less working capital and other reserves
35 shall equal or exceed the total of proposed applicable expenditures.
36 The budget document or documents shall further include:

37 (a) Interest, amortization and redemption charges on the state
38 debt;

1 (b) Payments of all reliefs, judgments, and claims;

2 (c) Other statutory expenditures;

3 (d) Expenditures incident to the operation for each agency;

4 (e) Revenues derived from agency operations;

5 (f) Expenditures and revenues shall be given in comparative form
6 showing those incurred or received for the immediately past fiscal
7 period and those anticipated for the current biennium and next ensuing
8 biennium;

9 (g) A showing and explanation of amounts of general fund and other
10 funds obligations for debt service and any transfers of moneys that
11 otherwise would have been available for appropriation;

12 (h) Common school expenditures on a fiscal-year basis;

13 (i) A showing, by agency, of the value and purpose of financing
14 contracts for the lease/purchase or acquisition of personal or real
15 property for the current and ensuing fiscal periods; and

16 (j) A showing and explanation of anticipated amounts of general
17 fund and other funds required to amortize the unfunded actuarial
18 accrued liability of the retirement system specified under chapter
19 41.45 RCW, and the contributions to meet such amortization, stated in
20 total dollars and as a level percentage of total compensation.

21 (3) The governor's operating budget document or documents shall
22 reflect the statewide priorities as required by RCW 43.88.090.

23 (4) The governor's operating budget document or documents shall
24 identify activities that are not addressing the statewide priorities.

25 (5) A separate capital budget document or schedule shall be
26 submitted that will contain the following:

27 (a) A statement setting forth a long-range facilities plan for the
28 state that identifies and includes the highest priority needs within
29 affordable spending levels;

30 (b) A capital program consisting of proposed capital projects for
31 the next biennium and the two biennia succeeding the next biennium
32 consistent with the long-range facilities plan. Insomuch as is
33 practical, and recognizing emergent needs, the capital program shall
34 reflect the priorities, projects, and spending levels proposed in
35 previously submitted capital budget documents in order to provide a
36 reliable long-range planning tool for the legislature and state
37 agencies;

1 (c) A capital plan consisting of proposed capital spending for at
2 least four biennia succeeding the next biennium;

3 (d) A strategic plan for reducing backlogs of maintenance and
4 repair projects. The plan shall include a prioritized list of specific
5 facility deficiencies and capital projects to address the deficiencies
6 for each agency, cost estimates for each project, a schedule for
7 completing projects over a reasonable period of time, and
8 identification of normal maintenance activities to reduce future
9 backlogs;

10 (e) A statement of the reason or purpose for a project;

11 (f) Verification that a project is consistent with the provisions
12 set forth in chapter 36.70A RCW;

13 (g) A statement about the proposed site, size, and estimated life
14 of the project, if applicable;

15 (h) Estimated total project cost;

16 (i) For major projects valued over five million dollars, estimated
17 costs for the following project components: Acquisition, consultant
18 services, construction, equipment, project management, and other costs
19 included as part of the project. Project component costs shall be
20 displayed in a standard format defined by the office of financial
21 management to allow comparisons between projects;

22 (j) Estimated total project cost for each phase of the project as
23 defined by the office of financial management;

24 (k) Estimated ensuing biennium costs;

25 (l) Estimated costs beyond the ensuing biennium;

26 (m) Estimated construction start and completion dates;

27 (n) Source and type of funds proposed;

28 (o) Estimated ongoing operating budget costs or savings resulting
29 from the project, including staffing and maintenance costs;

30 (p) For any capital appropriation requested for a state agency for
31 the acquisition of land or the capital improvement of land in which the
32 primary purpose of the acquisition or improvement is recreation or
33 ((wildlife)) habitat conservation, the capital budget document, or an
34 omnibus list of recreation and habitat acquisitions provided with the
35 governor's budget document, ((shall)) must identify:

36 (i) The projected costs of operation and maintenance for at least
37 the two biennia succeeding the next biennium. Omnibus lists of habitat
38 and recreation land acquisitions ((shall)) must include individual

1 project cost estimates for operation and maintenance as well as a total
2 for all state projects included in the list. The document (~~shall~~)
3 must identify the source of funds from which the operation and
4 maintenance costs are proposed to be funded; and

5 (ii) For applicable land acquisitions, the anticipated biennial
6 costs for payments of amounts in lieu of real property taxes authorized
7 under RCW 77.12.203, 79.70.130, 79.71.130, 79.155.140, or 79A.15.120.
8 The document must also identify a proposed fund source to pay these
9 costs;

10 (q) Such other information bearing upon capital projects as the
11 governor deems to be useful;

12 (r) Standard terms, including a standard and uniform definition of
13 normal maintenance, for all capital projects; and

14 (s) Such other information as the legislature may direct by law or
15 concurrent resolution.

16 For purposes of this subsection (5), the term "capital project"
17 shall be defined subsequent to the analysis, findings, and
18 recommendations of a joint committee comprised of representatives from
19 the house capital appropriations committee, senate ways and means
20 committee, legislative evaluation and accountability program committee,
21 and office of financial management.

22 (6) No change affecting the comparability of agency or program
23 information relating to expenditures, revenues, workload, performance
24 and personnel shall be made in the format of any budget document or
25 report presented to the legislature under this section or RCW
26 43.88.160(1) relative to the format of the budget document or report
27 which was presented to the previous regular session of the legislature
28 during an odd-numbered year without prior legislative concurrence.
29 Prior legislative concurrence shall consist of (a) a favorable majority
30 vote on the proposal by the standing committees on ways and means of
31 both houses if the legislature is in session or (b) a favorable
32 majority vote on the proposal by members of the legislative evaluation
33 and accountability program committee if the legislature is not in
34 session.

35 NEW SECTION. Sec. 3. A new section is added to chapter 44.04 RCW
36 to read as follows:

37 The appropriate committees of the senate and house of

1 representatives may consider the biennial and decadal state lands
2 acquisition monitoring reports required under RCW 79A.25.260 and, at
3 the committee's discretion, make recommendations to the applicable
4 legislative chamber. The legislature may direct land disposals through
5 legislative enactment.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 77.12 RCW
7 to read as follows:

8 (1) Prior to acquiring or developing real property, the department
9 must review the proposed acquisition or development project with the
10 city or county with jurisdiction. The department must endeavor to do
11 so as soon as is practicable in the acquisition or development planning
12 process.

13 (2) The department's review of a proposed project application with
14 the city or county with jurisdiction under RCW 79A.15.110, if
15 applicable, fulfills the requirements of this section.

16 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.30 RCW
17 under the subchapter heading "part 5 powers and duties--general" to
18 read as follows:

19 (1) Prior to acquiring or developing real property that is
20 currently or to be managed as a natural area preserve under chapter
21 79.70 RCW, natural resources conservation area under chapter 79.71 RCW,
22 community forest trust under chapter 79.155 RCW, or for other habitat
23 or recreation purposes, the department must review the proposed
24 acquisition or development project with the city or county with
25 jurisdiction. The department must endeavor to do so as soon as is
26 practicable in the acquisition or development planning process.

27 (2) The department's review of a proposed project application with
28 the city or county with jurisdiction under RCW 79A.15.110, if
29 applicable, fulfills the requirements of this section.

30 NEW SECTION. **Sec. 6.** A new section is added to chapter 79A.05 RCW
31 to read as follows:

32 (1) Prior to acquiring or developing real property, the commission
33 must review the proposed acquisition or development project with the
34 city or county with jurisdiction. The commission must endeavor to do

1 so as soon as is practicable in the acquisition or development planning
2 process.

3 (2) The commission's review of a proposed project application with
4 the city or county with jurisdiction under RCW 79A.15.110, if
5 applicable, fulfills the requirements of this section."

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By Senators Honeyford, Liias, Pearson

ADOPTED 02/18/2014

6 On page 1, line 1 of the title, after "acquisitions;" strike the
7 remainder of the title and insert "amending RCW 79A.25.260 and
8 43.88.030; adding a new section to chapter 44.04 RCW; adding a new
9 section to chapter 77.12 RCW; adding a new section to chapter 43.30
10 RCW; and adding a new section to chapter 79A.05 RCW."

EFFECT: Eliminates the agency specific reporting requirements and directs the habitat and recreation lands coordinating group to produce regular land acquisition forecasts and acquisition monitoring reports with similar elements to the agency specific reporting requirements in the substitute bill; eliminates the mandatory land disposal requirements and specifies the legislature's authority to direct disposals through legislative enactment; removes the joint legislative audit and review committee study; and makes the habitat and recreation lands coordinating group permanent.

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