

---

**ENGROSSED SUBSTITUTE SENATE BILL 6052**

---

**State of Washington**

**63rd Legislature**

**2014 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Honeyford, Hargrove, Schoesler, Sheldon, Brown, Rivers, Pearson, and Angel)

READ FIRST TIME 02/11/14.

1       AN ACT Relating to habitat and recreation land acquisitions;  
2 amending RCW 79A.25.260 and 43.88.030; adding a new section to chapter  
3 44.04 RCW; adding a new section to chapter 77.12 RCW; adding a new  
4 section to chapter 43.30 RCW; and adding a new section to chapter  
5 79A.05 RCW.

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

7       **Sec. 1.** RCW 79A.25.260 and 2012 c 128 s 1 are each amended to read  
8 as follows:

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

18       (2) To ensure timely completion of the duties assigned to the

1 group, the director shall submit yearly progress reports to the office  
2 of financial management and the appropriate committees of the senate  
3 and house of representatives.

4 (3) The group must:

5 (a) Review agency land acquisition and disposal plans and policies  
6 to help ensure statewide coordination of habitat and recreation land  
7 acquisitions and disposals;

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

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

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

16 (iii) The purposes and intended uses of each property to be  
17 acquired;

18 (iv) A set of detailed and measurable goals for each acquisition;

19 (v) A plan to track whether each acquisition is meeting the  
20 identified goals; and

21 (vi) The plan for operation and maintenance of each acquisition,  
22 including:

23 (A) The ongoing and one-time projects associated with operation and  
24 maintenance of each property;

25 (B) The anticipated and range of potential operating and capital  
26 costs, including payment in lieu of taxes, associated with the  
27 operation and maintenance of each property; and

28 (C) The anticipated funding sources for the operating and capital  
29 costs;

30 (c) Establish procedures for publishing the biennial forecast of  
31 acquisition and disposal plans on web sites or other centralized,  
32 easily accessible formats;

33 (d) Develop and convene (~~an annual~~) a biennial forum for agencies  
34 to coordinate their near-term acquisition and disposal plans;

35 (e) Develop a recommended method for interagency geographic  
36 information system-based documentation of habitat and recreation lands  
37 in cooperation with other state agencies using geographic information  
38 systems;

1 (f) Develop recommendations for standardization of acquisition and  
2 disposal recordkeeping, including identifying a preferred process for  
3 centralizing acquisition data;

4 (g) Develop an approach for monitoring the success of acquisitions.  
5 At a minimum, the approach must include providing a biennial monitoring  
6 report to the office of financial management and the appropriate  
7 committees of the senate and house of representatives by July 1st of  
8 each odd-numbered year. The report must include recent acquisition  
9 projects and must include:

10 (i) The purchase cost and sources of funding;

11 (ii) The number of acres acquired;

12 (iii) The actual and anticipated operations and maintenance  
13 expenditures and fund sources of those expenditures;

14 (iv) The actual costs associated with the payment in lieu of taxes  
15 on the real property; and

16 (v) The actual use of the property and the results of the  
17 postacquisition monitoring;

18 (h) By July 1, 2025, and every ten years thereafter, summarize the  
19 previous ten years of postacquisition monitoring and identify:  
20 Properties that are meeting detailed and measurable goals identified  
21 upon acquisition; properties that are not meeting the goals identified,  
22 but are likely to do so in the foreseeable future; and properties that  
23 are not meeting the goals identified and are not likely to do so in the  
24 foreseeable future. For each property that is not meeting the goals  
25 identified, the report must describe any progress made towards the  
26 goals, the reasons the goals have not been achieved, and the estimated  
27 time frame for meeting the goals;

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

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

33 (4) If prioritization among the various requirements of subsection  
34 (3) of this section is necessary due to the availability of resources,  
35 the group shall prioritize implementation of subsection (3)(a) through  
36 (d) and (g) of this section.

37 (5) The group shall revisit the planning requirements of relevant

1 grant programs administered by the office to determine whether  
2 coordination of state agency habitat and recreation land acquisition  
3 and disposal could be improved by modifying those requirements.

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

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

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

13 ~~((7) This section expires July 31, 2017. Prior to January 1,  
14 2017, the group shall make a formal recommendation to the board and the  
15 appropriate committees of the legislature as to whether the existence  
16 of the habitat and recreation lands coordinating group should be  
17 continued beyond July 31, 2017, and if so, whether any modifications to  
18 its enabling statute should be pursued.))~~

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

21 (1) The director of financial management shall provide all agencies  
22 with a complete set of instructions for submitting biennial budget  
23 requests to the director at least three months before agency budget  
24 documents are due into the office of financial management. The budget  
25 document or documents shall consist of the governor's budget message  
26 which shall be explanatory of the budget and shall contain an outline  
27 of the proposed financial policies of the state for the ensuing fiscal  
28 period, as well as an outline of the proposed six-year financial  
29 policies where applicable, and shall describe in connection therewith  
30 the important features of the budget. The biennial budget document or  
31 documents shall also describe performance indicators that demonstrate  
32 measurable progress towards priority results. The message shall set  
33 forth the reasons for salient changes from the previous fiscal period  
34 in expenditure and revenue items and shall explain any major changes in  
35 financial policy. Attached to the budget message shall be such  
36 supporting schedules, exhibits and other explanatory material in  
37 respect to both current operations and capital improvements as the

1 governor shall deem to be useful to the legislature. The budget  
2 document or documents shall set forth a proposal for expenditures in  
3 the ensuing fiscal period, or six-year period where applicable, based  
4 upon the estimated revenues and caseloads as approved by the economic  
5 and revenue forecast council and caseload forecast council or upon the  
6 estimated revenues and caseloads of the office of financial management  
7 for those funds, accounts, sources, and programs for which the forecast  
8 councils do not prepare an official forecast. Revenues shall be  
9 estimated for such fiscal period from the source and at the rates  
10 existing by law at the time of submission of the budget document,  
11 including the supplemental budgets submitted in the even-numbered years  
12 of a biennium. However, the estimated revenues and caseloads for use  
13 in the governor's budget document may be adjusted to reflect budgetary  
14 revenue transfers and revenue and caseload estimates dependent upon  
15 budgetary assumptions of enrollments, workloads, and caseloads. All  
16 adjustments to the approved estimated revenues and caseloads must be  
17 set forth in the budget document. The governor may additionally  
18 submit, as an appendix to each supplemental, biennial, or six-year  
19 agency budget or to the budget document or documents, a proposal for  
20 expenditures in the ensuing fiscal period from revenue sources derived  
21 from proposed changes in existing statutes.

22 The budget document or documents shall also contain:

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

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

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

30 (d) Such additional information dealing with revenues and  
31 expenditures as the governor shall deem pertinent and useful to the  
32 legislature;

33 (e) Tabulations showing expenditures classified by fund, function,  
34 and agency;

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

37 (g) Identification of all proposed direct expenditures to implement

1 the Puget Sound water quality plan under chapter 90.71 RCW, shown by  
2 agency and in total; and

3 (h) Tabulations showing each postretirement adjustment by  
4 retirement system established after fiscal year 1991, to include, but  
5 not be limited to, estimated total payments made to the end of the  
6 previous biennial period, estimated payments for the present biennium,  
7 and estimated payments for the ensuing biennium.

8 (2) The budget document or documents shall include detailed  
9 estimates of all anticipated revenues applicable to proposed operating  
10 or capital expenditures and shall also include all proposed operating  
11 or capital expenditures. The total of beginning undesignated fund  
12 balance and estimated revenues less working capital and other reserves  
13 shall equal or exceed the total of proposed applicable expenditures.  
14 The budget document or documents shall further include:

15 (a) Interest, amortization and redemption charges on the state  
16 debt;

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

18 (c) Other statutory expenditures;

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

20 (e) Revenues derived from agency operations;

21 (f) Expenditures and revenues shall be given in comparative form  
22 showing those incurred or received for the immediately past fiscal  
23 period and those anticipated for the current biennium and next ensuing  
24 biennium;

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

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

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

32 (j) A showing and explanation of anticipated amounts of general  
33 fund and other funds required to amortize the unfunded actuarial  
34 accrued liability of the retirement system specified under chapter  
35 41.45 RCW, and the contributions to meet such amortization, stated in  
36 total dollars and as a level percentage of total compensation.

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

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

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

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

8 (b) A capital program consisting of proposed capital projects for  
9 the next biennium and the two biennia succeeding the next biennium  
10 consistent with the long-range facilities plan. Inasmuch as is  
11 practical, and recognizing emergent needs, the capital program shall  
12 reflect the priorities, projects, and spending levels proposed in  
13 previously submitted capital budget documents in order to provide a  
14 reliable long-range planning tool for the legislature and state  
15 agencies;

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

18 (d) A strategic plan for reducing backlogs of maintenance and  
19 repair projects. The plan shall include a prioritized list of specific  
20 facility deficiencies and capital projects to address the deficiencies  
21 for each agency, cost estimates for each project, a schedule for  
22 completing projects over a reasonable period of time, and  
23 identification of normal maintenance activities to reduce future  
24 backlogs;

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

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

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

30 (h) Estimated total project cost;

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

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

1 (k) Estimated ensuing biennium costs;

2 (l) Estimated costs beyond the ensuing biennium;

3 (m) Estimated construction start and completion dates;

4 (n) Source and type of funds proposed;

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

7 (p) For any capital appropriation requested for a state agency for  
8 the acquisition of land or the capital improvement of land in which the  
9 primary purpose of the acquisition or improvement is recreation or  
10 ((wildlife)) habitat conservation, the capital budget document, or an  
11 omnibus list of recreation and habitat acquisitions provided with the  
12 governor's budget document, ((shall)) must identify:

13 (i) The projected costs of operation and maintenance for at least  
14 the two biennia succeeding the next biennium. Omnibus lists of habitat  
15 and recreation land acquisitions ((shall)) must include individual  
16 project cost estimates for operation and maintenance as well as a total  
17 for all state projects included in the list. The document ((shall))  
18 must identify the source of funds from which the operation and  
19 maintenance costs are proposed to be funded; and

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

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

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

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

31 For purposes of this subsection (5), the term "capital project"  
32 shall be defined subsequent to the analysis, findings, and  
33 recommendations of a joint committee comprised of representatives from  
34 the house capital appropriations committee, senate ways and means  
35 committee, legislative evaluation and accountability program committee,  
36 and office of financial management.

37 (6) No change affecting the comparability of agency or program  
38 information relating to expenditures, revenues, workload, performance



1 and personnel shall be made in the format of any budget document or  
2 report presented to the legislature under this section or RCW  
3 43.88.160(1) relative to the format of the budget document or report  
4 which was presented to the previous regular session of the legislature  
5 during an odd-numbered year without prior legislative concurrence.  
6 Prior legislative concurrence shall consist of (a) a favorable majority  
7 vote on the proposal by the standing committees on ways and means of  
8 both houses if the legislature is in session or (b) a favorable  
9 majority vote on the proposal by members of the legislative evaluation  
10 and accountability program committee if the legislature is not in  
11 session.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 44.04 RCW  
13 to read as follows:

14 The appropriate committees of the senate and house of  
15 representatives may consider the biennial and decadal state lands  
16 acquisition monitoring reports required under RCW 79A.25.260 and, at  
17 the committee's discretion, make recommendations to the applicable  
18 legislative chamber. The legislature may direct land disposals through  
19 legislative enactment.

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

22 (1) Prior to acquiring or developing real property, the department  
23 must review the proposed acquisition or development project with the  
24 city or county with jurisdiction. The department must endeavor to do  
25 so as soon as is practicable in the acquisition or development planning  
26 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. 5.** A new section is added to chapter 43.30 RCW  
31 under the subchapter heading "part 5 powers and duties--general" to  
32 read as follows:

33 (1) Prior to acquiring or developing real property that is  
34 currently or to be managed as a natural area preserve under chapter  
35 79.70 RCW, natural resources conservation area under chapter 79.71 RCW,

1 community forest trust under chapter 79.155 RCW, or for other habitat  
2 or recreation purposes, the department must review the proposed  
3 acquisition or development project with the city or county with  
4 jurisdiction. The department must endeavor to do so as soon as is  
5 practicable in the acquisition or development planning process.

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

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

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

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

--- END ---