



STATE OF WASHINGTON

RECREATION AND CONSERVATION OFFICE

March 2008

Item #4: 2008 Legislative Session Update
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Approved by the Director:

Proposed Action: Briefing

Summary

The 2008 legislative session began on January 14 and ended on March 13. A number of bills were introduced that had the potential to affect the Recreation and Conservation Office (RCO), as well as other state and local agencies involved in providing recreation, open space, and habitat land. Summaries of the bills and their effects are below. The Governor must sign bills that passed the legislature before they can take effect.

Staff Recommendation

None

Background

Youth Athletic Facility Grant Program

Referendum 48 (public financing for the Seahawks stadium) created the Youth Athletic Facility (YAF) Program in 1997. The program was funded with a one-time \$10 million donation from the "team affiliate." In addition, the program was to have received funding in years when Stadium and Exhibition Center Account revenues exceeded the amount needed for bond debt service. At the time, this was projected to yield deposits of between \$500,000 and \$1 million per biennium into YAF, but no such revenues have been available.

HB3380, HB3054 and the companion SB6638 were introduced to delay possible early implementation of stadium bond retirement and capture a portion of the lodging tax revenues after bond retirement (in about 2020) for use by King County arts programs.



The effect would be a decrease in potential future revenues to the YAF account.

Staff presented the issue of YAF funding to the bill sponsors and committee chairs, and called for a financial analysis to predict the effect of the bills on YAF. We asked that they allow time for the recreation community to engage in the policy discussion. This did not occur.

SB6638 passed, but was amended to provide only one year of assistance for the King County arts program and not affect potential future YAF revenues. A section of the capital budget establishes a task force to study the various revenue sources used for financing the Kingdome, Safeco, and Qwest field debt and funding housing, arts, youth recreation and other programs. The task force must report its findings by December 1, 2008

Aquatic Land Enhancement Account

The Aquatic Land Enhancement Account (ALEA) grant program receives about \$5 million each biennium to provide grants for environmental enhancement and public access to the state's aquatic lands. Revenues come from aquatic land leases administered by the Department of Natural Resources, including leases for geoduck harvesting and private and public marinas. SB6532, which passed the legislature, exempts the city of Oak Harbor from lease payments for ten years. Staff projects the resulting loss of revenues for the ALEA grant program at about \$90,000 per biennium.

Mitigation, Mitigation Banking, and Farmland

As in 2007, there was considerable discussion about the effects of mitigation projects and mitigation banks on farmland.

- SSB5145, revived from last session, would have prohibited wetland mitigation banks without a conditional use permit on agricultural land of long-term commercial significance. The bill died in Senate Rules.
- SSB6761 requires, with few exceptions, wetland mitigation bank service areas to be in the same watershed (WRIA) as the environmental impact. The bill passed.
- SSB6805 directs the Conservation Commission to commission a study on establishing farm-based conservation markets, with a report due on December 1, 2008. The bill passed.

State and Local Park Funding

A number of bills were introduced that would have provided additional funding to state and local parks. None of the bills passed.

- HB1768 would have authorized use of a portion of the local real estate excise tax for the maintenance and operation of parks.
- HB2984 would have allowed counties to divert part of the state's portion of the local sales tax to purchase and develop trails.
- 2SSB5043, revived from last session, would have created a new 1-cent-per-thousand property tax to support state parks. It would have generated about \$9

million annually.

- SB6598 would have authorized a ballot measure for a local sales and use tax for parks, recreation, trails, and open space in Pierce County.
- SB6397 would have required vendors in public parks to return half of the sales tax they collect to the park owner for park support.

Urban Forestry (Evergreen Communities)

Several bills addressing urban forestry were introduced. E2HB2488, which passed, requires a statewide inventory of community and urban forests, and creates the Evergreen Communities Partnership Taskforce. Cities and counties recognized as “evergreen communities” must receive preference in the ALEA and WWRP (HCA) grant programs

Miscellaneous

Bills to address noise (SB6881) and environmental impacts (SB6901) of off-road vehicles died. A bill to increase the amount of ORV and boating fuel tax revenues going to the Nonhighway and Off-road Vehicle Activities (NOVA) and Boating Facilities Programs (HB2819) also died.

SHB2472 establishes a workgroup to make recommendations regarding recreation on DNR-managed lands. DNR indicated that the RCO would be included. The legislature approved this bill.

Senate Confirmations of Recreation and Conservation Funding Board Members

Four of the five citizen members of the Board are up for Senate confirmation, but the Senate has not asked them to attend a confirmation hearing. State law allows members to serve while confirmation is pending. In the past, this process has often stretched over several years.

Supplemental Operating and Capital Budgets

The Senate’s version of the operating budget would have reduced the \$2 million biennial appropriation to the Boating Activities Program to \$1 million. The boating community undertook a massive lobbying effort, and the reduction was not in the version finally adopted by the Legislature.

The capital budget includes language clarifying how the \$450,000 earmark for ORV noise enforcement grants is to be allocated from the NOVA account. The clarifying language allows the RCFB to take the \$450,000 from the account before funds are divided among the four funding categories. Old budget language inadvertently allowed the Board to take the funds only from the E&E category. This change will result in additional funds being available for alternate E&E projects and slightly less money available for the 2008 NOVA facilities grant cycle.

Additionally, the capital budget gives the RCFB flexibility to move excess dollars in a

YAF grant category to one of the other categories.

The capital budget also includes a proviso requiring the RCFB to conduct a study on hazards to the public from personal high-speed watercraft:

“The recreation and conservation funding board shall research hazards to the public from personal high speed watercraft, also known as jet skis, and shall report to the fiscal committees of the legislature by January 1, 2009, with recommendations for increasing public enjoyment and safety when commingling personal high speed watercraft and other forms of motorized and nonmotorized water recreation.” (ESHB2765, Sec. 3028)

Analysis

None

Next Steps

None

Attachments

None