
HOUSE BILL 2215

State of Washington

64th Legislature

2015 Regular Session

By Representatives Taylor, DeBolt, Scott, Shea, Rodne, G. Hunt, Schmick, Holy, Condotta, Magendanz, Hayes, Young, Short, Manweller, Griffey, McCabe, and Van Werven

Read first time 03/27/15. Referred to Committee on Capital Budget.

1 AN ACT Relating to prohibiting most state land purchases until
2 the state satisfies its constitutional requirement to fully fund
3 education; amending RCW 77.12.037, 77.12.220, 79.71.040, 79.70.030,
4 79.155.040, 79A.25.020, 79A.25.120, 79A.25.260, and 43.88.030;
5 reenacting and amending RCW 79A.05.030; adding a new section to
6 chapter 79A.15 RCW; and adding a new chapter to Title 43 RCW.

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

8 NEW SECTION. **Sec. 1.** The definitions in this section apply
9 throughout this chapter unless the context clearly requires
10 otherwise.

11 (1) "McCleary decision" means the decision of the Washington
12 supreme court in the case of *McCleary v. the State of Washington*.

13 (2) "Natural resource agency" or "natural resource agencies"
14 means the department of natural resources, the department of fish and
15 wildlife, the recreation and conservation office, and the state parks
16 and recreation commission.

17 (3) "Superintendent" means the superintendent of public
18 instruction.

19 (4) "Third-party seller" means a private landowner or the federal
20 government.

1 NEW SECTION. **Sec. 2.** (1) Regardless of funding source, no
2 natural resource agency may purchase any landholding from a third-
3 party seller, or award a grant for the purchase of a landholding from
4 a third party, until the superintendent confirms, consistent with
5 section 3 of this act, that the state has fulfilled its obligation
6 under article IX of the Washington state Constitution to fully fund
7 education.

8 (2) This section applies to all land purchases by a natural
9 resource agency regardless if the land purchase was directed by the
10 state capital budget or if funding was provided from the federal
11 government. If funding is provided by the legislature for a specific
12 land purchase, the office of financial management must withhold
13 distribution of any funds to the subject natural resource agency
14 until the conditions of this section are fulfilled.

15 NEW SECTION. **Sec. 3.** (1) The superintendent must, in
16 consultation with the office of the attorney general, provide formal
17 notification to the administrative heads of the natural resource
18 agencies and the office of financial management upon the Washington
19 supreme court lifting the court supervision related to the McCleary
20 decision.

21 (2) Upon the receipt for notification from the superintendent
22 under this section, the natural resource agencies may pursue land
23 purchases subject to any other limitations in the law.

24 NEW SECTION. **Sec. 4.** This chapter applies only to land subject
25 to a purchase agreement entered into by a natural resources agency
26 after the effective date of this section.

27 **Sec. 5.** RCW 77.12.037 and 2000 c 107 s 4 are each amended to
28 read as follows:

29 (1) The commission may acquire, consistent with section 2 of this
30 act, by gift, easement, purchase, lease, or condemnation lands,
31 buildings, water rights, rights-of-way, or other necessary property,
32 and construct and maintain necessary facilities for purposes
33 consistent with this title. Consistent with section 2 of this act,
34 the commission may authorize the director to acquire property under
35 this section, but the power of condemnation may only be exercised by
36 the director when an appropriation has been made by the legislature

1 for the acquisition of a specific property, except to clear title and
2 acquire access rights-of-way.

3 (2) The commission may sell, lease, convey, or grant concessions
4 upon real or personal property under the control of the department.

5 **Sec. 6.** RCW 77.12.220 and 2000 c 107 s 219 are each amended to
6 read as follows:

7 (1) For purposes of this title and consistent with section 2 of
8 this act, the commission may make agreements to obtain real or
9 personal property or to transfer or convey property held by the state
10 to the United States or its agencies or instrumentalities, units of
11 local government of this state, public service companies, or other
12 persons, if in the judgment of the commission and the attorney
13 general the transfer and conveyance is consistent with public
14 interest. For purposes of this section, "local government" means any
15 city, town, county, special district, municipal corporation, or
16 quasi-municipal corporation.

17 (2) If the commission agrees to a transfer or conveyance under
18 this section or to a sale or return of real property under RCW
19 77.12.210, the director shall certify, with the attorney general, to
20 the governor that the agreement has been made. The certification
21 shall describe the real property. The governor then may execute and
22 the secretary of state attest and deliver to the appropriate entity
23 or person the instrument necessary to fulfill the agreement.

24 **Sec. 7.** RCW 79A.05.030 and 2005 c 373 s 1 and 2005 c 360 s 5 are
25 each reenacted and amended to read as follows:

26 The commission shall:

27 (1) Have the care, charge, control, and supervision of all parks
28 and parkways acquired or set aside by the state for park or parkway
29 purposes.

30 (2) Adopt policies, and adopt, issue, and enforce rules
31 pertaining to the use, care, and administration of state parks and
32 parkways. The commission shall cause a copy of the rules to be kept
33 posted in a conspicuous place in every state park to which they are
34 applicable, but failure to post or keep any rule posted shall be no
35 defense to any prosecution for the violation thereof.

36 (3) Permit the use of state parks and parkways by the public
37 under such rules as shall be adopted.

1 (4) Clear, drain, grade, seed, and otherwise improve or beautify
2 parks and parkways, and erect structures, buildings, fireplaces, and
3 comfort stations and build and maintain paths, trails, and roadways
4 through or on parks and parkways.

5 (5) Grant concessions or leases in state parks and parkways, upon
6 such rentals, fees, or percentage of income or profits and for such
7 terms, in no event longer than fifty years, and upon such conditions
8 as shall be approved by the commission: PROVIDED, That leases
9 exceeding a twenty-year term shall require a unanimous vote of the
10 commission: PROVIDED FURTHER, That if, during the term of any
11 concession or lease, it is the opinion of the commission that it
12 would be in the best interest of the state, the commission may, with
13 the consent of the concessionaire or lessee, alter and amend the
14 terms and conditions of such concession or lease: PROVIDED FURTHER,
15 That television station leases shall be subject to the provisions of
16 RCW 79A.05.085, only: PROVIDED FURTHER, That the rates of such
17 concessions or leases shall be renegotiated at five-year intervals.
18 No concession shall be granted which will prevent the public from
19 having free access to the scenic attractions of any park or parkway.

20 (6) Employ such assistance as it deems necessary. Commission
21 expenses relating to its use of volunteer assistance shall be limited
22 to premiums or assessments for the insurance of volunteers by the
23 department of labor and industries, compensation of staff who assist
24 volunteers, materials and equipment used in authorized volunteer
25 projects, training, reimbursement of volunteer travel as provided in
26 RCW 43.03.050 and 43.03.060, and other reasonable expenses relating
27 to volunteer recognition. The commission, at its discretion, may
28 waive commission fees otherwise applicable to volunteers. The
29 commission shall not use volunteers to replace or supplant classified
30 positions. The use of volunteers may not lead to the elimination of
31 any employees or permanent positions in the bargaining unit.

32 (7) By majority vote of its authorized membership, and consistent
33 with section 2 of this act, select and purchase or obtain options
34 upon, lease, or otherwise acquire for and in the name of the state
35 such tracts of land, including shore and tide lands, for park and
36 parkway purposes as it deems proper. If the commission cannot acquire
37 any tract at a price it deems reasonable, it may, by majority vote of
38 its authorized membership, obtain title thereto, or any part thereof,
39 by condemnation proceedings conducted by the attorney general as
40 provided for the condemnation of rights-of-way for state highways.

1 Option agreements executed under authority of this subsection shall
2 be valid only if:

3 (a) The cost of the option agreement does not exceed one dollar;
4 and

5 (b) Moneys used for the purchase of the option agreement are from
6 (i) funds appropriated therefor, or (ii) funds appropriated for
7 undesignated land acquisitions, or (iii) funds deemed by the
8 commission to be in excess of the amount necessary for the purposes
9 for which they were appropriated; and

10 (c) The maximum amount payable for the property upon exercise of
11 the option does not exceed the appraised value of the property.

12 (8) Cooperate with the United States, or any county or city of
13 this state, in any matter pertaining to the acquisition, development,
14 redevelopment, renovation, care, control, or supervision of any park
15 or parkway, and enter into contracts in writing to that end. All
16 parks or parkways, to which the state contributed or in whose care,
17 control, or supervision the state participated pursuant to the
18 provisions of this section, shall be governed by the provisions
19 hereof.

20 (9) Within allowable resources, maintain policies that increase
21 the number of people who have access to free or low-cost recreational
22 opportunities for physical activity, including noncompetitive
23 physical activity.

24 (10) Adopt rules establishing the requirements for a criminal
25 history record information search for the following: Job applicants,
26 volunteers, and independent contractors who have unsupervised access
27 to children or vulnerable adults, or who will be responsible for
28 collecting or disbursing cash or processing credit/debit card
29 transactions. These background checks will be done through the
30 Washington state patrol criminal identification section and may
31 include a national check from the federal bureau of investigation,
32 which shall be through the submission of fingerprints. A permanent
33 employee of the commission, employed as of July 24, 2005, is exempt
34 from the provisions of this subsection.

35 **Sec. 8.** RCW 79.71.040 and 1987 c 472 s 4 are each amended to
36 read as follows:

37 The department is authorized to, consistent with section 2 of
38 this act, acquire property or less than fee interests in property, as
39 defined by RCW 64.04.130, by all means, except eminent domain, for

1 creating natural resources conservation areas, where acquisition is
2 the best way to achieve the purposes of this chapter. Areas acquired
3 or assembled by the department for conservation purposes will be
4 designated as "Washington natural resources conservation areas."

5 **Sec. 9.** RCW 79.70.030 and 2003 c 334 s 549 are each amended to
6 read as follows:

7 In order to set aside, preserve, and protect natural areas within
8 the state, the department is authorized, in addition to any other
9 powers, to:

10 (1) Establish the criteria for selection, acquisition,
11 management, protection, and use of such natural areas, including:

12 (a) Limiting public access to natural area preserves consistent
13 with the purposes of this chapter. Where appropriate, and on a case-
14 by-case basis, a buffer zone with an increased low level of public
15 access may be created around the environmentally sensitive areas;

16 (b) Developing a management plan for each designated natural area
17 preserve. The plan must identify the significant resources to be
18 conserved consistent with the purposes of this chapter and identify
19 the areas with potential for low-impact public and environmental
20 educational uses. The plan must specify the types of management
21 activities and public uses that are permitted, consistent with the
22 purposes of this chapter. The department must make the plans
23 available for review and comment by the public, and state, tribal,
24 and local agencies, prior to final approval;

25 (2) Cooperate or contract with any federal, state, or local
26 governmental agency, private organizations, or individuals in
27 carrying out the purpose of this chapter;

28 (3) Consistent with the plan and with section 2 of this act,
29 acquire by gift, devise, purchase, grant, dedication, or means other
30 than eminent domain, the fee or any lesser right or interest in real
31 property which shall be held and managed as a natural area;

32 (4) Acquire by gift, devise, grant, or donation any personal
33 property to be used in the acquisition and/or management of natural
34 areas;

35 (5) Inventory existing public, state, and private lands in
36 cooperation with the council to assess possible natural areas to be
37 preserved within the state;

38 (6) Maintain a natural heritage program to provide assistance in
39 the selection and nomination of areas containing natural heritage

1 resources for registration or dedication. The program shall maintain
2 a classification of natural heritage resources, an inventory of their
3 locations, and a data bank for such information. The department shall
4 cooperate with the department of fish and wildlife in the selection
5 and nomination of areas from the data bank that relate to critical
6 wildlife habitats. Information from the data bank shall be made
7 available to public and private agencies and individuals for
8 environmental assessment and proprietary land management purposes.
9 Usage of the classification, inventory, or data bank of natural
10 heritage resources for any purpose inconsistent with the natural
11 heritage program is not authorized;

12 (7) Prepare a natural heritage plan which shall govern the
13 natural heritage program in the conduct of activities to create and
14 manage a system of natural areas that includes natural resources
15 conservation areas, and may include areas designated under the
16 research natural area program on federal lands in the state;

17 (a) The plan shall list the natural heritage resources to be
18 considered for registration and shall provide criteria for the
19 selection and approval of natural areas under this chapter;

20 (b) The department shall provide opportunities for input,
21 comment, and review to the public, other public agencies, and private
22 groups with special interests in natural heritage resources during
23 preparation of the plan;

24 (c) Upon approval by the council and adoption by the department,
25 the plan shall be updated and submitted biennially to the appropriate
26 committees of the legislature for their information and review. The
27 plan shall take effect ninety days after the adjournment of the
28 legislative session in which it is submitted unless the reviewing
29 committees suggest changes or reject the plan; and

30 (8) Maintain a state register of natural areas containing
31 significant natural heritage resources to be called the Washington
32 register of natural area preserves. Selection of natural areas for
33 registration shall be in accordance with criteria listed in the
34 natural heritage plan and accomplished through voluntary agreement
35 between the owner of the natural area and the department. No
36 privately owned lands may be proposed to the council for registration
37 without prior notice to the owner or registered without voluntary
38 consent of the owner. No state or local governmental agency may
39 require such consent as a condition of any permit or approval of or
40 settlement of any civil or criminal proceeding or to penalize any

1 landowner in any way for failure to give, or for withdrawal of, such
2 consent.

3 (a) The department shall adopt rules as authorized by RCW
4 43.12.065 and 79.70.030(1) and chapter 34.05 RCW relating to
5 voluntary natural area registration.

6 (b) After approval by the council, the department may place sites
7 onto the register or remove sites from the register.

8 (c) The responsibility for management of registered natural area
9 preserves shall be with the preserve owner. A voluntary management
10 agreement may be developed between the department and the owners of
11 the sites on the register.

12 (d) Any public agency may register lands under provisions of this
13 chapter.

14 **Sec. 10.** RCW 79.155.040 and 2011 c 216 s 4 are each amended to
15 read as follows:

16 (1)(a) Except as limited by RCW 79.155.070, the department is
17 authorized to acquire, consistent with section 2 of this act, by
18 purchase, gift, donation, grant, transfer, or other means other than
19 eminent domain fee interest or a partial interest, including
20 conservation easements, in lands or other real property suitable for
21 management as part of the community forest trust and that are
22 appropriate to further the goals of the community forest trust.

23 (b) The fair market value of any real property, and the
24 associated valuable materials, of any land transferred into the
25 community forest trust from state lands must be provided to the
26 beneficiaries of the ((~~transferee~~—[~~transferor~~])) transferor trust or
27 used for the furtherance of the ((~~transferee~~—[~~transferor~~]))
28 transferor trust.

29 (2) The department is authorized to receive funds for purposes of
30 establishing the community forest trust from grants, gifts, bequests,
31 or loans, whether public or private, as well as from legislative
32 appropriation.

33 (3) All acquisitions of real property for the community forest
34 trust must be approved by the board.

35 NEW SECTION. **Sec. 11.** A new section is added to chapter 79A.15
36 RCW to read as follows:

37 The board shall, through the implementation of this chapter and
38 through the adoption of policies and priorities for the accounts and

1 programs created in this chapter, ensure and enable state agencies in
2 their compliance efforts with section 2 of this act.

3 **Sec. 12.** RCW 79A.25.020 and 2007 c 241 s 41 are each amended to
4 read as follows:

5 The director shall have the following powers and duties:

6 (1) To supervise the administrative operations of the boards,
7 office, and their staff;

8 (2) To administer recreation and conservation grant-in-aid
9 programs and contracts, and provide technical assistance to state and
10 local agencies;

11 (3) To prepare and update, reflective of the policies embodied in
12 section 2 of this act, a strategic plan for the acquisition,
13 renovation, and development of recreational resources and the
14 preservation and conservation of open space. The plan shall be
15 prepared in coordination with the office of the governor and the
16 office of financial management, with participation of federal, state,
17 and local agencies having recreational responsibilities, user groups,
18 private sector interests, and the general public. The plan shall be
19 submitted to the recreation and conservation funding board for
20 review, and the board shall submit its recommendations on the plan to
21 the governor. The plan shall include, but is not limited to: (a) an
22 inventory of current resources; (b) a forecast of recreational
23 resource demand; (c) identification and analysis of actual and
24 potential funding sources; (d) a process for broad scale information
25 gathering; (e) an assessment of the capabilities and constraints,
26 both internal and external to state government, that affect the
27 ability of the state to achieve the goals of the plan; (f) an
28 analysis of strategic options and decisions available to the state;
29 (g) an implementation strategy that is coordinated with executive
30 policy and budget priorities; and (h) elements necessary to qualify
31 for participation in or the receipt of aid from any federal program
32 for outdoor recreation;

33 (4) To represent and promote the interests of the state on
34 recreational issues and further the mission of the board and office;

35 (5) Upon approval of the relevant board, to enter into contracts
36 and agreements with private nonprofit corporations to further state
37 goals of preserving, conserving, and enhancing recreational resources
38 and open space for the public benefit and use;

1 (6) To appoint such technical and other committees as may be
2 necessary to carry out the purposes of this chapter;

3 (7) To create and maintain a repository for data, studies,
4 research, and other information relating to recreation and
5 conservation resources in the state, and to encourage the interchange
6 of such information;

7 (8) To encourage and provide opportunities for interagency and
8 regional coordination and cooperative efforts between public agencies
9 and between public and private entities involved in the development
10 and preservation of recreational and conservation resources; and

11 (9) To prepare the state trails plan, as required by RCW
12 79A.35.040.

13 **Sec. 13.** RCW 79A.25.120 and 2007 c 241 s 48 are each amended to
14 read as follows:

15 Any public body or any agency of state government authorized to
16 acquire or improve public outdoor recreation land which desires funds
17 from the outdoor recreation account, the recreation resource account,
18 or the nonhighway and off-road vehicle activities program account
19 shall submit to the board a long-range plan for developing outdoor
20 recreation facilities within its authority and detailed plans for the
21 projects sought to be financed from these accounts, including
22 estimated cost, compliance with section 2 of this act, and (~~such~~)
23 other information as the board may require. The board shall analyze
24 all proposed plans and projects, and shall recommend to the governor
25 for inclusion in the budget such projects as it may approve and find
26 to be consistent with an orderly plan for the acquisition and
27 improvement of outdoor recreation lands in the state.

28 **Sec. 14.** RCW 79A.25.260 and 2012 c 128 s 1 are each amended to
29 read as follows:

30 (1) The habitat and recreation lands coordinating group is
31 established. The group must include representatives from the office,
32 the state parks and recreation commission, the department of natural
33 resources, and the department of fish and wildlife. The members of
34 the group must have subject matter expertise with the issues
35 presented in this section. Representatives from appropriate
36 stakeholder organizations and local government must also be
37 considered for participation on the group, but may only be appointed
38 or invited by the director.

1 (2) To ensure timely completion of the duties assigned to the
2 group, the director shall submit yearly progress reports to the
3 office of financial management.

4 (3) The group must:

5 (a) Review agency land acquisition and disposal plans and
6 policies to help ensure statewide coordination of habitat and
7 recreation land acquisitions and disposals and compliance with
8 section 2 of this act;

9 (b) Produce an interagency, statewide biennial forecast of
10 habitat and recreation land acquisition and disposal plans;

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

14 (d) Develop and convene an annual forum for agencies to
15 coordinate their near-term acquisition and disposal plans;

16 (e) Develop a recommended method for interagency geographic
17 information system-based documentation of habitat and recreation
18 lands in cooperation with other state agencies using geographic
19 information systems;

20 (f) Develop recommendations for standardization of acquisition
21 and disposal recordkeeping, including identifying a preferred process
22 for centralizing acquisition data;

23 (g) Develop an approach for monitoring the success of
24 acquisitions;

25 (h) Identify and commence a dialogue with key state and federal
26 partners to develop an inventory of potential public lands for
27 transfer into habitat and recreation land management status; and

28 (i) Review existing and proposed habitat conservation plans on a
29 regular basis to foster statewide coordination and save costs.

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

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

38 (6) The group must develop options for centralizing coordination
39 of habitat and recreation land acquisition made with funds from

1 federal grants. The advantages and drawbacks of the following
2 options, at a minimum, must be developed:

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

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

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

14 **Sec. 15.** RCW 43.88.030 and 2006 c 334 s 43 are each amended to
15 read as follows:

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

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

16 The budget document or documents shall also contain:

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

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

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

24 (d) Such additional information dealing with revenues and
25 expenditures as the governor shall deem pertinent and useful to the
26 legislature;

27 (e) Tabulations showing expenditures classified by fund,
28 function, and agency;

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

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

34 (h) Tabulations showing each postretirement adjustment by
35 retirement system established after fiscal year 1991, to include, but
36 not be limited to, estimated total payments made to the end of the
37 previous biennial period, estimated payments for the present
38 biennium, and estimated payments for the ensuing biennium.

39 (2) The budget document or documents shall include detailed
40 estimates of all anticipated revenues applicable to proposed

1 operating or capital expenditures and shall also include all proposed
2 operating or capital expenditures. The total of beginning
3 undesignated fund balance and estimated revenues less working capital
4 and other reserves shall equal or exceed the total of proposed
5 applicable expenditures. The budget document or documents shall
6 further include:

7 (a) Interest, amortization and redemption charges on the state
8 debt;

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

10 (c) Other statutory expenditures;

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

12 (e) Revenues derived from agency operations;

13 (f) Expenditures and revenues shall be given in comparative form
14 showing those incurred or received for the immediately past fiscal
15 period and those anticipated for the current biennium and next
16 ensuing biennium;

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

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

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

24 (j) A showing and explanation of anticipated amounts of general
25 fund and other funds required to amortize the unfunded actuarial
26 accrued liability of the retirement system specified under chapter
27 41.45 RCW, and the contributions to meet such amortization, stated in
28 total dollars and as a level percentage of total compensation.

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

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

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

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

38 (b) A capital program consisting of proposed capital projects for
39 the next biennium and the two biennia succeeding the next biennium
40 consistent with the long-range facilities plan. Inasmuch as is

1 practical, and recognizing emergent needs, the capital program shall
2 reflect the priorities, projects, and spending levels proposed in
3 previously submitted capital budget documents in order to provide a
4 reliable long-range planning tool for the legislature and state
5 agencies;

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

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

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

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

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

20 (h) Estimated total project cost;

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

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

29 (k) Estimated ensuing biennium costs;

30 (l) Estimated costs beyond the ensuing biennium;

31 (m) Estimated construction start and completion dates;

32 (n) Source and type of funds proposed;

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

35 (p) For any capital appropriation requested for a state agency
36 for the acquisition of land or the capital improvement of land in
37 which the primary purpose of the acquisition or improvement is
38 recreation or wildlife habitat conservation, the capital budget
39 document, or an omnibus list of recreation and habitat acquisitions
40 provided with the governor's budget document, shall identify the

1 projected costs of operation and maintenance for at least the two
2 biennia succeeding the next biennium and a plan for compliance with
3 section 2 of this act. Omnibus lists of habitat and recreation land
4 acquisitions shall include individual project cost estimates for
5 operation and maintenance as well as a total for all state projects
6 included in the list. The document shall identify the source of funds
7 from which the operation and maintenance costs are proposed to be
8 funded;

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

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

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

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

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

34 NEW SECTION. **Sec. 16.** Sections 1 through 4 of this act
35 constitute a new chapter in Title 43 RCW.

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