



STATE OF WASHINGTON

OFFICE OF THE INTERAGENCY COMMITTEE
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March 28, 2006

TO: IAC Committee Members
FROM: Laura Johnson, Director 
PREPARED BY: Jim Fox, Special Assistant to the Director 
SUBJECT: Item #6a. Legislative Report, 2006 Session

The 2006 Legislature adjourned on March 8, one day early. A number of bills were introduced that had the potential to affect IAC and other state and local agencies involved in providing recreation, open space and habitat land. These bills are summarized below. The full text of the bills, bill reports, fiscal notes, and other relevant information can be found on the Legislature's web site at: <http://apps.leg.wa.gov/billinfo/>

2006 Enactments Affecting IAC

The 2006 Legislature gave IAC the following new assignments:

- By enactment of ESSB 5385, with a related appropriation of \$100,000, the administration of the Invasive Species Council.
- By direction in the Supplemental Capital Budget:
 1. Administration of Hood Canal Aquatic Rehabilitation Program grant funds, with the Puget Sound Action Team. There was \$1 M appropriated to this program for grants.
 2. Preparation of cost estimates for creation of a database of motorized and nonmotorized off-road trails and facilities in Washington State. NOVA grant funds were made available for this effort.
 3. Recommendations for an ORV noise education and enforcement program and a possible grant program to assist local governments in reducing ORV noise impacts. NOVA grant funds were made available for this effort.



4. Administration of a Youth Athletic Facility donor-matching program. \$2.5 M was appropriated to provide a state match to private donations.
5. Development of approaches to local and regional park level-of-service standards. YAF grant funds were made available for this project.

Copies of the relevant Capital Budget sections and the Invasive Species legislation, ESSB5385, are attached. A more detailed discussion of these new assignments is presented in the memo under Item 5b. The Governor has not yet signed either budget bill. Details of the 2006 Budgets can be found at the LEAP Committee web site: http://leap.leg.wa.gov/leap/budget/detail/2006/index_arch_2006F.asp

Fiscal Enactments of Interest to IAC

As noted in the list above, provisos in the capital budget assigned IAC several new duties, with associated funding. The Supplemental Capital Budget (ESSB6384) also included the technical adjustments that IAC requested in certain reappropriations.

Other fiscal results of the session that are of interest to the IAC:

- The Washington Wildlife & Recreation Coalition's request to add \$10 million to this biennium's WWRP appropriation was not included in the Capital Budget.
- The Mountains-to-Sound Greenway organization requested \$15 million for a package of projects including trails, recreation and tourist facilities. The funds would have been administered through the Department of Community Development, the Department of Transportation, and State Parks. The Operating Budget passed by the Legislature provides about \$1.5 million in the CTED budget for some of the projects.
- There was considerable discussion throughout the session regarding State Parks' day use parking fee. As you are probably aware, by the end of session, the \$5 fee had been removed.
- The Governor's request for her Salmon Recovery Office ("GSRO") was only partially funded. This will likely have an impact on IAC. Because the work of the GSRO is vital to the success of the Salmon Recovery Funding Board, our office had been contracting with the GSRO, supporting a portion of its staff. However, we had planned on doing so only through the first year of the biennium. If we are requested by OFM to provide some support for GSRO operations for the second year of the biennium, we will need to make significant operations adjustments to other work of the office. At this writing, the full ramifications of the possible funding impacts are not yet determined. We will provide the IAC with an update at the June meeting.

Proposed Diversions of IAC Grant Funds

The House version of the Capital Budget contained language diverting \$500,000 of IAC's National Recreational Trails Program (NRTP) grant funds to Mountains To Sound Greenway projects and language restricting all of the second-year local Boating Facilities Program (BFP) funds (about \$1.8 million) to grants for boat sewage disposal facilities (BSDF). IAC opposed these proposed diversions for the following reasons:

- Applicants for the upcoming NRTP and BFP grant cycles are anticipating these funds to be available for grants;
- Constituents for these programs were not consulted and no public debate occurred regarding the proposed earmarks;
- This proposed diversion could set an unfortunate precedent for future diversions in the 11 grant programs administered by IAC, and
- State Parks currently has nearly \$2 million in Federal Clean Vessel Act funds for BSDFs but has not had sufficient demand for these funds.

The proposed diversions were dropped in the final budget adopted by the Legislature.

Other Legislative Activity of Interest to IAC

NOVA and ORVs

HB2374 would have required DNR to develop motorized access plans for DNR lands in order to get the agency's statutory 36% share of the NOVA fuel tax revenues. If the plans were not developed, the revenues would have been diverted to IAC. HB2727 would have required a federal agency to have an ORV management plan that designates areas allowing ORV use in order to be eligible for an IAC NOVA grant. Both bills *died*.

HB2658 would have directed IAC to provide a NOVA grant for the development of a statewide Internet database of public ORV trails, parks and riding areas. The bill was amended to include nonmotorized trails and NHR facilities, but did not pass due to a high cost estimate. As a result, funding was provided in the Capital Budget for IAC to develop cost estimates for different approaches to the database (see attachment, Sec. 170(1)).

SB6355 would have reduced the ORV noise limit from 105 db to 96 db, required DNR to form a working group to develop policy strategies relating to ORV access, and appropriated \$100,000 to IAC for NOVA Education and Enforcement (E&E) grants. This bill was the result of the work by the ORV Task Force in 2005. The bill *died* in committee.

SB6687 and SSB6688 both would have directed Ecology to evaluate adverse effects of ORV noise in residential areas and authorized NOVA E&E grants to fund enforcement of ORV noise complaints. Both bills would have established the working group recommended by the ORV Task Force, although SSB6687 would have placed the working group in IAC rather than DNR. Neither bill made it out of the Senate. Language addressing ORV noise issues was, however, added to the IAC's portion of the Capital Budget (see attachment, Sec. 170(2)).

Acquisition and Disposal of State Habitat and Recreation Land

SB6625 was a response to IAC's *Coordinated Strategy for Habitat and Recreation Land Acquisition* report (the "SB6242 report") completed in 2005. The bill would have created a Habitat and Recreation Lands Coordinating Group to coordinate planning of WDFW, State Parks and DNR habitat and recreation land acquisition and disposal, centralizing acquisition of data, and monitoring the success of acquisitions. The bill would also have prohibited expenditure of "unanticipated receipts" for land acquisition without authorization by the Legislature, although this provision was dropped in the amended version. SSB6625 passed the Senate unanimously but *died* in the House Capital Budget Committee.

Invasive Species

ESSB5385 creates the Invasive Species Council to help coordinate the state's approach to combating invasive species and develop and implement a statewide invasive species strategic plan. The bill was originally introduced in the 2005 Legislative Session. An amendment in the House Natural Resources Committee moved administration of the Council from the Governor's office to IAC. Council membership includes representatives from six state entities and two counties. In addition, representatives from four federal agencies are to be invited to participate as nonvoting members. The Council sunsets at the end of 2011. The Supplemental Operating Budget appropriated \$100,000 to IAC to support the Council and \$43,000 to the Department of Fish and Wildlife and \$26,000 to the Department of Agriculture for technical support and participation in the development of the strategic plan. The Governor signed the bill on March 20.

Senate Confirmations of IAC Members

All of the IAC citizen members are up for Senate Confirmation. In 2005, the Senate Natural Resources, Ocean and Recreation Committee did not hold confirmation hearings. This year the Chair decided to hold hearings for appointees who had not been before the Committee in the past. Two IAC members had their in-person, under-oath hearing (Daubert and Parsons). However, a committee vote was never scheduled.

Member Chapman was scheduled for hearing, but the meeting was cancelled due to end of session workload.

Liability of Recreational Landowners

Several bills would have amended the statutes that relieve public and private landowners of liability if they make their land available without a fee for public recreation. HB2356 would have allowed charging a fee of up to \$10 per day or \$350 per year if the revenues were devoted to management of the land. Under SB6353, an owner or operator of a park or facility dedicated primarily to ORV use would not have been liable for unintentional injuries. SB6354 would have allowed an ORV park or facility to charge up to \$20/day without it being considered a "fee" under the recreational landowner liability statutes. None of these bills passed. However, the language from SB6354 allowing an ORV park or facility to charge up to \$20/day without it being considered a fee was amended to another bill that did pass (HB2617).

State and Local Park Funding

HB2416 would have adopted the Montana method of funding state parks by adding an additional \$5 to motor vehicle registration fees. The \$5 fee would not be required if the owner stated that the vehicle would not go to a state park. The current system-wide parking fee at State Parks would be discontinued. HB2422 would have also adopted the \$5 increase to the vehicle registration fee and, in addition, divert 1.5% of the existing 1.28% real estate excise tax to State Parks and an equal amount to IAC for the Youth Athletic Facility (YAF) Account. SB6556 would have required an \$8 million appropriation to the State Parks Renewal and Stewardship Account every biennium and discontinued the current parking fee. Only HB2416 passed. However, the only part of the bill remaining in the end was the portion abolishing the parking fee. The Legislature did provide some funding in the Supplemental Operating Budget to compensate for the resulting loss in revenues.

SB6892 would have created the Seahawks Championship Account and provided up to \$10 million to match local contributions to the account. Resulting funds would have been transferred to IAC's YAF Program. This bill did not pass, but a similar concept was funded in the Capital Budget (see attachment, Sec. 172).

Portions of the Supplemental Capital Budget* Affecting IAC
March 28, 2006

NEW SECTION. Sec. 155 A new section is added to 2005 c 488 (uncodified) to read as follows:

FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Hood Canal Aquatic Rehabilitation Program (06-4-850)

The appropriation in this section is subject to the following conditions and limitations:

(1) The Puget Sound action team and the local management board shall develop a list of projects, studies, and activities relating to the recovery of Hood Canal in accordance with RCW 90.88.030. The list developed shall be based upon the project's likely value in addressing and resolving Hood Canal's low dissolved oxygen concentrations.

(2) The Puget Sound action team and the local management board shall recommend to the interagency committee for outdoor recreation and the governor a prioritized list of projects to be funded under subsection (1) of this section. The governor may remove projects from the list recommended by the Puget Sound action team and the local management board and shall submit this amended list in the capital budget request to the legislature. The list shall include, but not be limited to, a description of each project and the amount of recommended state funding.

(3) The interagency committee for outdoor recreation shall not sign contracts or otherwise financially obligate funds from the Hood Canal aquatic rehabilitation bond account before the legislature has appropriated funds for a specific list of projects. The legislature may remove projects from the list recommended by the Puget Sound action team and the local management board.

Appropriation:

Hood Canal Aquatic Rehabilitation Bond
Account--State \$1,000,000

Sec. 170 2005 c 488 s 401 (uncodified) is amended to read as follows:
FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Nonhighway and Off-Road Vehicle Program (NOVA) (06-4-004)

The appropriation in this section is subject to the following conditions and limitations:
\$100,000 of the appropriation is for the following studies:

(1) The committee shall prepare cost estimates for creating a database of motorized and nonmotorized off-road trails and facilities in Washington state. The cost estimate shall consider the possibility of a database that allows the downloading of maps formatted for the most widely used GPS devices, including the feasibility and cost to make GPS maps readily available for all users of Washington recreational lands and

* As passed by Legislature; not yet signed by the Governor.

facilities. For this purpose, available GPS maps shall include GPS maps developed by state agencies, by federal agencies, and proprietary maps offered by private companies.

(2) The committee shall recommend a program for enhanced education and enforcement regarding excessive noise from off-road vehicles. The study shall include a review of relevant existing laws and regulations. The recommendations shall address the appropriate equipment needed for enforcement, model ordinances, enhanced educational strategies, and a proposed grant program to assist local governments to more effectively reduce the impact of excessive ORV noise in rural residential neighborhoods and nonresidential areas, including consideration of grant programs for planning departments, code enforcement departments, health departments, or other entities of local government.

NEW SECTION. Sec. 172 A new section is added to 2005 c 488 (uncodified) to read as follows:

FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Youth Athletic Fields (06-2-952)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for competitive grants for acquisition, development, and renovation of youth athletic fields. The committee shall follow the applicable rules of the youth athletic facilities program, except that grants for maintenance are not eligible. The committee shall accept private donations for youth athletic fields and deposit them in the youth athletic facility account. For every \$500,000 in private donations received, the committee shall match those funds with \$500,000 from the appropriation provided in this section and award grants totaling \$1,000,000 to the highest priority projects. The committee is authorized to expend up to five percent of the appropriation for administration of the program and for publicizing the program, especially to owners, players, and fans of Washington's major league professional sports teams.

Appropriation:

State Building Construction Account--State \$2,500,000

Sec. 227 RCW 43.99N.060 and 2000 c 137 s 1 are each amended to read as follows:

(1) The stadium and exhibition center account is created in the custody of the state treasurer. All receipts from the taxes imposed under RCW 82.14.0494 and distributions under RCW 67.70.240(5) shall be deposited into the account. Only the director of the office of financial management or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW. An appropriation is not required for expenditures from this account.

(2) Until bonds are issued under RCW 43.99N.020, up to five million dollars per year beginning January 1, 1999, shall be used for the purposes of subsection (3)(b) of this section, all remaining moneys in the account shall be transferred to the public stadium authority, created under RCW 36.102.020, to be used for public stadium authority

operations and development of the stadium and exhibition center.

(3) After bonds are issued under RCW 43.99N.020, all moneys in the stadium and exhibition center account shall be used exclusively for the following purposes in the following priority:

(a) On or before June 30th of each year, the office of financial management shall accumulate in the stadium and exhibition center account an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued under RCW 43.99N.020;

(b) An additional reserve amount not in excess of the expected average annual principal and interest requirements of bonds issued under RCW 43.99N.020 shall be accumulated and maintained in the account, subject to withdrawal by the state treasurer at any time if necessary to meet the requirements of (a) of this subsection, and, following any withdrawal, reaccumulated from the first tax revenues and other amounts deposited in the account after meeting the requirements of (a) of this subsection; and

(c) The balance, if any, shall be transferred to the youth athletic facility account under subsection (4) of this section.

Any revenues derived from the taxes authorized by RCW 36.38.010(5) and 36.38.040 or other amounts that if used as provided under (a) and (b) of this subsection would cause the loss of any tax exemption under federal law for interest on bonds issued under RCW 43.99N.020 shall be deposited in and used exclusively for the purposes of the youth athletic facility account and shall not be used, directly or indirectly, as a source of payment of principal of or interest on bonds issued under RCW 43.99N.020, or to replace or reimburse other funds used for that purpose.

(4) Any moneys in the stadium and exhibition center account not required or permitted to be used for the purposes described in subsection (3)(a) and (b) of this section shall be deposited in the youth athletic facility account hereby created in the state treasury. Expenditures from the account may be used only for purposes of grants or loans to cities, counties, and qualified nonprofit organizations for community outdoor athletic facilities. For the 2005-2007 biennium, moneys in the account may also be used for a recreation level of service study for local and regional active recreation facilities.

Only the director of the interagency committee for outdoor recreation or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. The athletic facility grants or loans may be used for acquiring, developing, equipping, maintaining, and improving community outdoor athletic facilities. Funds shall be divided equally between the development of new community outdoor athletic facilities, the improvement of existing community outdoor athletic facilities, and the maintenance of existing community outdoor athletic facilities. Cities, counties, and qualified nonprofit organizations must submit proposals for grants or loans from the account. To the extent that funds are available, cities, counties, and qualified nonprofit organizations must meet eligibility criteria as established by the director of the interagency committee for outdoor recreation. The grants and loans shall be awarded on a competitive application process and the amount of the grant or loan shall be in proportion to the population of the city or county for where the community outdoor athletic facility is located. Grants or loans awarded in any one year need not be distributed in that year. The director of the interagency committee for outdoor recreation

may expend up to one and one-half percent of the moneys deposited in the account created in this subsection for administrative purposes.

NEW SECTION. Sec. 228 A new section is added to 2005 c 488 (uncodified) to read as follows:

The interagency committee for outdoor recreation shall develop recommendations for a statewide approach to a recreation level of service for local and regional active recreation facilities, including indicators with which to measure progress in achieving level of service objectives. The recommendations must be coordinated with those of the priorities of government effort. The interagency committee for outdoor recreation shall also recommend standardized definitions for types of parks and recreational facilities, and a process for periodically measuring performance indicators and reporting the results. The interagency committee for outdoor recreation may enter into a contract with an entity with expertise in parks facility planning, level of service standards, and geographic information systems. The interagency committee for outdoor recreation shall submit a report to the appropriate committees of the legislature by January 1, 2007. The report must include the following: (1) Level of service standards including individual participation measures; (2) service area analysis using geographic information system tools and techniques; and (3) recommendations to incorporate level of service reporting into grant-in-aid programs.

ENGROSSED SUBSTITUTE SENATE BILL 5385

AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Natural Resources, Ocean & Recreation
(originally sponsored by Senators Jacobsen, Oke, Fraser, Swecker and
Kline)

READ FIRST TIME 02/25/05.

1 AN ACT Relating to creating an invasive species council; amending
2 RCW 79A.25.010; adding new sections to chapter 79A.25 RCW; and
3 providing an expiration date.

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

5 NEW SECTION. Sec. 1. The legislature finds that:

6 (1) The land, water, and other resources of Washington are being
7 severely impacted by the invasion of an increasing number of harmful
8 invasive plant and animal species.

9 (2) These impacts are resulting in damage to Washington's
10 environment and causing economic hardships.

11 (3) The multitude of public and private organizations with an
12 interest in controlling and preventing the spread of harmful invasive
13 species in Washington need a mechanism for cooperation, communication,
14 collaboration, and developing a statewide plan of action to meet these
15 threats.

16 NEW SECTION. Sec. 2. (1) There is created the Washington invasive
17 species council to exist until December 31, 2011. Staff support to the

1 council shall be provided by the committee and from the agencies
2 represented on the council. For administrative purposes, the council
3 shall be located within the committee.

4 (2) The purpose of the council is to provide policy level
5 direction, planning, and coordination for combating harmful invasive
6 species throughout the state and preventing the introduction of others
7 that may be potentially harmful.

8 (3) The council is a joint effort between local, tribal, state, and
9 federal governments, as well as the private sector and nongovernmental
10 interests. The purpose of the council is to foster cooperation,
11 communication, and coordinated approaches that support local, state,
12 and regional initiatives for the prevention and control of invasive
13 species.

14 (4) For the purposes of this chapter, "invasive species" include
15 nonnative organisms that cause economic or environmental harm and are
16 capable of spreading to new areas of the state. "Invasive species"
17 does not include domestic livestock, intentionally planted agronomic
18 crops, or nonharmful exotic organisms.

19 NEW SECTION. Sec. 3. (1) Membership in the council includes a
20 representative from the following entities:

21 (a) The department of agriculture, represented by the director or
22 the director's designee;

23 (b) The department of fish and wildlife, represented by the
24 director or the director's designee;

25 (c) The department of ecology, represented by the director or the
26 director's designee;

27 (d) The department of natural resources, represented by the
28 commissioner or the commissioner's designee;

29 (e) The department of transportation, represented by the secretary
30 or the secretary's designee;

31 (f) The Washington state noxious weed control board, appointed by
32 the board;

33 (g) A county located east of the crest of the Cascade mountains,
34 appointed by the other members of the council; and

35 (h) A county located west of the crest of the Cascade mountains,
36 appointed by the other members of the council.

1 (2) The councilmembers may add members to the council as the
2 councilmembers deem appropriate to accomplish its goals.

3 (3) The council must invite one representative each from the United
4 States department of agriculture, the United States fish and wildlife
5 service, the United States environmental protection agency, and the
6 United States coast guard to participate on the council in a nonvoting,
7 ex officio capacity.

8 (4) A representative of the office of the governor must convene the
9 first meeting of the council and serve as chair until the council
10 selects a chair. At the first meeting of the council, the council
11 shall address issues including, but not limited to, voting methods,
12 meeting schedules, and the need for and use of advisory and technical
13 committees.

14 **NEW SECTION. Sec. 4.** The council's goals are to:

15 (1) Minimize the effects of harmful invasive species on
16 Washington's citizens and ensure the economic and environmental well-
17 being of the state;

18 (2) Serve as a forum for identifying and understanding invasive
19 species issues from all perspectives;

20 (3) Serve as a forum to facilitate the communication, cooperation,
21 and coordination of local, tribal, state, federal, private, and
22 nongovernmental entities for the prevention, control, and management of
23 nonnative invasive species;

24 (4) Serve as an avenue for public outreach and for raising public
25 awareness of invasive species issues;

26 (5) Develop and implement a statewide invasive species strategic
27 plan as described in this chapter;

28 (6) Review the current funding mechanisms and levels for state
29 agencies to manage noxious weeds on the lands under their authority;

30 (7) Make recommendations for legislation necessary to carry out the
31 purposes of this chapter;

32 (8) Establish criteria for the prioritization of invasive species
33 response actions and projects; and

34 (9) Utilizing the process described in subsection (8) of this
35 section, select at least one project per year from the strategic plan
36 for coordinated action by the Washington invasive species councilmember
37 entities.

1 NEW SECTION. **Sec. 5.** (1) The council shall develop and
2 periodically update a statewide strategic plan for addressing invasive
3 species. The strategic plan should incorporate the reports and
4 activities of the aquatic nuisance species committee, the state noxious
5 weed control board, and other appropriate reports and activities. In
6 addition, the council must coordinate with the biodiversity council
7 created in Executive Order 04-02 to ensure that a statewide strategy
8 for the control of invasive species is integrated into the thirty-year
9 strategy for biodiversity conservation that the biodiversity council
10 must submit to the legislature in 2007.

11 (2) The strategic plan must, at a minimum, address:

12 (a) Statewide coordination and intergovernmental cooperation;

13 (b) Prevention of new biological invasions through deliberate or
14 unintentional introduction;

15 (c) Inventory and monitoring of invasive species;

16 (d) Early detection of and rapid response to new invasions;

17 (e) Control, management, and eradication of established populations
18 of invasive species;

19 (f) Projects that can be implemented during the period covered by
20 the strategic plan for the control, management, and eradication of new
21 or established populations of invasive species;

22 (g) Revegetation, reclamation, or restoration of native species
23 following control or eradication of invasive species;

24 (h) Tools that can be made available to assist state agencies that
25 are responsible for managing public land to control invasive noxious
26 weeds and recommendations as to how the agencies should be held
27 responsible for the failure to control invasive noxious weeds;

28 (i) Research and public education;

29 (j) Funding and resources available for invasive species
30 prevention, control, and management; and

31 (k) Recommendations for legislation necessary to carry out the
32 purposes of this chapter.

33 (3) The strategic plan must be updated at least once every three
34 years following its initial development. The strategic plan must be
35 submitted to the governor and appropriate committees of the legislature
36 by September 15th of each applicable year. The council shall complete
37 the initial strategic plan within two years of the effective date of
38 this section.

1 (4) Each state department and agency named to the council shall,
2 consistent with state law, make best efforts to implement elements of
3 the completed plan that are applicable to the department or agency.

4 NEW SECTION. Sec. 6. (1) The council shall submit an annual
5 report of its activities to the governor and the relevant policy
6 committees of the senate and house of representatives by December 15th
7 of each year. The annual report must include an evaluation of progress
8 made in the preceding year to implement or carry out the strategic plan
9 and an identification of projects from the strategic plan that will be
10 a focus for the following year.

11 (2) Prior to the start of the 2011 legislative session, the council
12 must prepare a report to the appropriate committees of the legislature
13 that makes recommendations as to the extension or modification of the
14 council.

15 NEW SECTION. Sec. 7. The council may establish advisory and
16 technical committees that it considers necessary to aid and advise the
17 council in the performance of its functions. The committees may be
18 continuing or temporary committees. The council shall determine the
19 representation, membership, terms, and organization of the committees
20 and appoint their members.

21 NEW SECTION. Sec. 8. The invasive species council account is
22 created in the custody of the state treasurer. All receipts from
23 appropriations, gifts, grants, and donations must be deposited into the
24 account. Expenditures from the account may be used only to carry out
25 the purposes of the council. The account is subject to allotment
26 procedures under chapter 43.88 RCW and the approval of the director of
27 the committee is required for expenditures. All expenditures must be
28 directed by the council.

29 Sec. 9. RCW 79A.25.010 and 1989 c 237 s 2 are each amended to read
30 as follows:

31 Definitions: As used in this chapter:

32 (1) "Marine recreation land" means any land with or without
33 improvements which (a) provides access to, or in whole or in part
34 borders on, fresh or salt water suitable for recreational use by

1 watercraft, or (b) may be used to create, add to, or make more usable,
2 bodies of water, waterways, or land, for recreational use by
3 watercraft.

4 (2) "Public body" means any county, city, town, port district, park
5 and recreation district, metropolitan park district, or other municipal
6 corporation which is authorized to acquire or improve public outdoor
7 recreation land, and shall also mean Indian tribes now or hereafter
8 recognized as such by the federal government for participation in the
9 land and water conservation program.

10 (3) "Tax on marine fuel" means motor vehicle fuel tax which is (a)
11 tax on fuel used in, or sold or distributed for use in, any watercraft,
12 (b) refundable pursuant to chapter 82.36 RCW, and (c) paid to the
13 director of licensing with respect to taxable sales, distributions, or
14 uses occurring on or after December 3, 1964.

15 (4) "Watercraft" means any boat, vessel, or other craft used for
16 navigation on or through water.

17 (5) "Committee" means the interagency committee for outdoor
18 recreation.

19 (6) "Director" means the director of the interagency committee for
20 outdoor recreation.

21 (7) "Council" means the Washington invasive species council created
22 in section 2 of this act.

23 NEW SECTION. Sec. 10. Section 8 of this act expires December 31,
24 2011.

25 NEW SECTION. Sec. 11. Sections 1 through 8 of this act are each
26 added to chapter 79A.25 RCW.

Passed by the Senate March 4, 2006.

Passed by the House March 2, 2006.

Approved by the Governor March 20, 2006.

Filed in Office of Secretary of State March 20, 2006.