

5595-S2

Sponsor(s): Senate Committee on Ways & Means (originally sponsored by Senators Jacobsen and Fraser)

Brief Title: Establishing the salmon recovery funding board.

SB 5595-S2.E2 - DIGEST

(DIGEST AS ENACTED)

Declares that the board is responsible for making grants and loans for salmon recovery projects from the amounts appropriated to the board for this purpose. To accomplish this purpose the board may: (1) Provide assistance to grant applicants regarding the procedures and criteria for grant and loan awards;

(2) make and execute all manner of contracts and agreements with public and private parties as the board deems necessary, consistent with the purposes of this chapter;

(3) accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms that are not in conflict with chapter 75.46 RCW;

(4) adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter; and

(5) do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

Directs the board to develop procedures and criteria for allocation of funds for salmon recovery projects and activities on a state-wide basis to address the highest priorities for salmon habitat protection and restoration.

Declares that, for fiscal year 2000, the board may authorize the interagency review team to evaluate, rank, and make funding decisions for categories of projects or activities or from funding sources provided for categories of projects or activities. In delegating such authority the board shall consider the review team's staff resources, procedures, and technical capacity to meet the purposes and objectives of this chapter. The board shall maintain general oversight of the team's exercise of such authority.

Directs the board to seek the guidance of the technical review team to ensure that scientific principles and information are incorporated into the allocation standards and into proposed projects and activities.

Requires that all habitat project lists shall be submitted to the salmon recovery funding board for funding by January 1st and July 1st of each year beginning in 2000. The board shall provide the legislature with a list of the proposed projects and a list of the projects funded by October 1st of each year beginning in 2000 for informational purposes.

Directs the interagency committee for outdoor recreation to track all funds allocated for salmon habitat projects and salmon recovery activities on behalf of the board, including both funds allocated by the board and funds allocated by other state or federal agencies for salmon recovery or water quality improvement.

Provides that, beginning in December 2000, the board shall

provide a biennial report to the governor and the legislature on salmon recovery expenditures. This report shall be coordinated with the state of the salmon report required under RCW 75.46.030.

Requires that, by September 1, 1999, the governor, with the assistance of the salmon recovery office, shall submit a state-wide salmon recovery strategy to the appropriate federal agencies administering the federal endangered species act.

Makes appropriations to carry out the purposes of the act.

VETO MESSAGE ON SB 5595-S2

June 11, 1999

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 2, 7, 19, 20, 22(3), 22(4), and 22(5), Second Engrossed Second Substitute Senate Bill No. 5595 entitled:

"AN ACT Relating to salmon recovery funding;"

Second Engrossed Second Substitute Senate Bill No. 5595 establishes a Salmon Recovery Funding Board (Board) to oversee \$119,928,000 in state and federal money dedicated to salmon recovery. The primary purposes of this legislation are to promote public oversight of funding for salmon recovery and to provide a coordinated state funding process.

Taxpayers, the federal government, and the Legislature demand and deserve greater accountability for the large sums of money we currently spend and will spend in the future on salmon recovery activities in our state. The Legislature has chosen to create the Board to oversee the selection of science-based salmon recovery projects and to make certain that the taxpayers' money is wisely spent. Clearly, the best projects are those that will bring back or protect the most fish.

A strong Board consisting of knowledgeable and concerned citizens from across our state is essential to the success of our statewide efforts to restore salmon runs. This legislation appropriately endows the Board with the broad powers necessary to oversee allocation of the salmon funding and to ensure that projects get done on time, stay within budget and achieve results for salmon.

In section 22 of this bill, however, the Legislature would have defeated the purpose of the Board by taking away its real authority and responsibility. Section 22 would have specifically allocated every single dollar of the salmon recovery money. Such allocation is contrary to giving the Board the responsibility to approve and finance those projects that will have the largest beneficial impact. This detailed itemization of appropriations and projects makes it almost superfluous to have a Board. It is our responsibility to make certain that there is strict accountability for the chosen projects and the money spent on them. Only a strong Board, with the authority and discretion, can do this. Further, after personally consulting with members of our congressional delegation - from both parties - I am convinced that our receipt of federal funds to restore salmon in our state would be placed in

serious jeopardy without these vetoes. Members of our congressional delegation and local groups committed to salmon recovery have great expressed concern about our ability to have an effective salmon recovery plan if every dollar is pre-allocated.

For these reasons, I am compelled to veto several sections of 2E2SSB 5595 as follows:

Section 2 of the bill would have added new, important and necessary definitions to the salmon recovery statutes. However, one change would have prohibited funding updates related to the Growth Management Act, which are necessary components of salmon recovery and should not be excluded from funding.

Section 7 of the bill would create a Technical Review Team (Team) to establish funding criteria and policies, and to review requests for funding grants on behalf of the Board. Under section 7, the Team would be appointed by the Director of the Department of Fish and Wildlife and be staffed by that department. However, the Board is staffed by the Interagency Committee for Outdoor Recreation (IAC), and the IAC is to administer contracts approved by the Board. The Team would be a new scientific review group when we already have at least two other salmon recovery science entities. I agree that the function of the Team is essential to the success of salmon recovery projects, and that we should fully utilize the scientific and other expertise in the Department of Fish and Wildlife. But the scientific review and all other parts of our salmon recovery need to be part of a unified structure. Accordingly, I am requesting the director of the IAC, in consultation with the Director of the Department of Fish and Wildlife and the chair of the Board, to examine all of the various scientific and technical review groups, with the goal of recommending a comprehensive streamlined mechanism to handle the scientific aspects of salmon recovery. Additionally, I request a recommendation of an appropriate project review structure within the IAC and a report back to me on both tasks by July 15, 1999.

Sections 19 and 20 of this legislation would have removed funding for the Governor's Office and the Office of Financial Management related to the implementation of this act. My office and OFM have fundamental responsibilities related to salmon recovery and, accordingly, I have vetoed these sections to retain their funding.

Section 22 of the bill would provide a full and detailed allocation of how each of the \$119,928,000 in state and federal funding for salmon recovery is to be spent. Many of the projects are worthwhile and I will request that the Board consider and give appropriate deference to the allocation provisions in section 22. However, we must preserve the Board's authority to make fundamental decisions about how state and federal salmon recovery money is to be spent, to ensure the recovery and preservation of our wild salmon.

For these reasons, I have vetoed sections 2, 7, 19, 20, 22(3), 22(4), and 22(5) of Second Engrossed Second Substitute Senate Bill No. 5595.

With the exception of sections 2, 7, 19, 20, 22(3), 22(4), and 22(5), Second Engrossed Second Substitute Senate Bill No. 5595 is approved.

Respectfully submitted,
Gary Locke
Governor