

SENATE BILL REPORT

HB 1277

As Reported by Senate Committee On:
Natural Resources & Parks, April 2, 2013

Title: An act relating to tribes holding conservation easements.

Brief Description: Concerning tribes holding conservation easements.

Sponsors: Representatives Sawyer, Zeiger, McCoy, Angel, Appleton, Morris, Kirby, Maxwell, Santos, Lias, Tarleton, Freeman, Morrell, Riccelli, Wilcox, Lytton, Jinkins, Ryu, Dahlquist, Fey, Pollet and Ormsby.

Brief History: Passed House: 2/20/13, 75-22.

Committee Activity: Natural Resources & Parks: 3/28/13, 4/02/13 [DPA, w/oRec].

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass as amended.

Signed by Senators Pearson, Chair; Smith, Vice Chair; Rolfes, Ranking Member; Hewitt and Kline.

Minority Report: That it be referred without recommendation.

Signed by Senator Parlette.

Staff: Curt Gavigan (786-7437)

Background: Current law governing land transactions in the state allows certain entities to acquire a real property interest in land of less than fee simple, including an easement, in order to limit the future use of the property or dedicate the property for open space purposes. These entities include the following:

- state and federal agencies;
- local governments including counties, cities, and towns; and
- nonprofit nature conservancy and historic preservation organizations.

Summary of Bill (Recommended Amendments): Federally recognized Indian tribes are included in the list of entities eligible to acquire a real property interest in land of less than fee simple, including an easement, in order to limit the future use of the property or dedicate the property for open space purposes.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

EFFECT OF CHANGES MADE BY NATURAL RESOURCES & PARKS COMMITTEE (Recommended Amendments): Removes the addition of federally recognized Indian tribes to the list of entities authorized to acquire a full or partial real property interest in certain lands for public use and enjoyment under the conservation futures statutes.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on House Bill: PRO: This bill appropriately extends authority to federally recognized Indian tribes to acquire lands for conservation purposes. The option to hold a conservation easement is currently a tool for local and federal governments as well as various conservation organizations. This conservation tool should also extend to tribal governments as they are leaders in environmental protection.

Persons Testifying: PRO: Representative Sawyer, prime sponsor; Davor Gjurasic, Swinomish Tribal Indian Community, Nisqually Indian Tribes.