H-4200.1

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**HOUSE BILL 2973**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Barkis, Haler, and Dolan

AN ACT Relating to modifying provisions related to surveys and maps in chapter 58.24 RCW; and amending RCW 58.24.020, 58.24.030, 58.24.040, 58.24.050, 58.24.060, 58.24.070, and 82.45.060.

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

**Sec.**  RCW 58.24.020 and 1987 c 466 s 5 are each amended to read as follows:

The department of natural resources is designated as the official agency for surveys and maps. The commissioner of public lands ((~~shall~~)) must appoint an advisory board of five members, the majority of whom ((~~shall~~)) must be registered professional ((~~engineers or~~)) land surveyors, who ((~~shall~~)) must serve at the pleasure of the commissioner. Members of the board ((~~shall~~)) must serve without salary but are to receive travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended while actively engaged in the discharge of their duties.

**Sec.**  RCW 58.24.030 and 1987 c 466 s 6 are each amended to read as follows:

The commissioner of public lands, the department of natural resources, and the advisory board are authorized to cooperate and advise with various departments and subdivisions of the state, counties, municipalities, and registered engineers or land surveyors of the state for the following purposes:

(1) The recovery of section corners or other land boundary marks;

(2) The monumentation of accepted section corners, and other boundary and reference marks; ((~~said~~)) the monumentation ((~~shall~~)) must be adequately connected to ((~~adjusted United States coast and geodetic survey triangulation stations~~)) the national spatial reference system as established by the national geodetic survey and the coordinates of the monuments computed to conform with the Washington plane coordinate system in accordance with the provisions of chapter 58.20 RCW, as derived from chapter 168, Laws of 1945;

(3) For facilitation and encouragement of the use of the Washington state coordinate system; and

(4) For promotion of the use of the ((~~level net~~)) vertical datum as established by the ((~~United States coast and~~)) national geodetic survey.

**Sec.**  RCW 58.24.040 and 1987 c 466 s 7 are each amended to read as follows:

The agency designated by RCW 58.24.020 is further authorized to:

(1) Set up standards of accuracy and methods of procedure;

(2) Compile and publish maps and records from surveys performed under the provisions of this chapter, and to maintain suitable indexes of surveys to prevent duplication of effort and to cooperate with all agencies of local, state, and federal government to this end;

(3) Compile and maintain records of all surveys performed under the provisions of this chapter, and assemble and maintain records of all reliable survey monuments and bench marks within the state;

(4) Collect and preserve information obtained from surveys locating and establishing land monuments and land boundaries;

(5) Supervise the sale and distribution of cadastral and geodetic survey data, and such related survey maps and publications as may come into the possession of the department of natural resources. Revenue derived from the sale thereof ((~~shall~~)) must be deposited in the surveys and maps account in the general fund;

(6) Supervise the sale and distribution of maps, map data, photographs, and such publications as may come into the possession of the department of natural resources.

(7) Submit, as part of the biennial report of the commissioner of public lands, a report of the accomplishments of the agency;

(8) Permit the temporary removal or destruction of any section corner or any other land boundary mark or monument by any person, corporation, association, department, or subdivision of the state, county, or municipality as may be necessary or desirable to accommodate construction, mining, and other development of any land: PROVIDED, That such section corner or other land boundary mark or monument ((~~shall~~)) must be referenced to the Washington Coordinate System by a registered professional ((~~engineer or~~)) land surveyor prior to such removal or destruction, and ((~~shall~~)) must be replaced or a suitable reference monument established by a registered professional ((~~engineer or~~)) land surveyor within a reasonable time after completion of such construction, mining, or other development: AND PROVIDED FURTHER, That the department of natural resources ((~~shall~~)) must adopt and promulgate reasonable rules and regulations under which the agency ((~~shall~~)) must authorize such temporary removal or destruction and require the replacement of such section corner or other land boundary marks or monuments.

**Sec.**  RCW 58.24.050 and 1982 c 165 s 5 are each amended to read as follows:

All employees who are in responsible charge of work under the provisions of this chapter ((~~shall~~)) must be licensed professional ((~~engineers or~~)) land surveyors. The chief surveyor of the department must be known as the state surveyor.

**Sec.**  RCW 58.24.060 and 2015 c 12 s 2 are each amended to read as follows:

There is created in the state treasury the surveys and maps account ((~~which shall~~)), which must be a separate account consisting of funds received or collected under chapters 43.92((~~,~~)) and 58.22((~~,~~)) RCW and ((~~58.24 RCW~~)) this chapter, and moneys appropriated to ((~~it~~)) the account by law. This account ((~~shall~~)) must be used exclusively by the department of natural resources for carrying out the purposes and provisions of chapters 43.92((~~,~~)) and 58.22((~~,~~)) RCW and ((~~58.24 RCW~~)) this chapter. Appropriations from the account ((~~shall~~)) may be expended for no other purposes. The department may use moneys in the account for the purposes for which they were obtained without appropriation by the legislature.

**Sec.**  RCW 58.24.070 and 1987 c 466 s 9 are each amended to read as follows:

((~~A fee set by the board of natural resources shall be charged by each county auditor, in addition to any other fees required by law, as a condition precedent to the filing and recording of any surveys, subdivision plats, short plats, and condominium surveys, plats, or maps. Such funds shall~~)) An excise tax must be charged by each county treasurer, in addition to any other excise tax required by law, on real property sales as provided in chapter 82.45 RCW. Such proceeds must be forwarded monthly to the state treasurer to be deposited in the surveys and maps account ((~~in the general fund. The fees shall~~)) created in RCW 58.24.060. The proceeds must be verified in the same manner as other ((~~fees~~)) taxes collected by the county ((~~auditor. Fees~~)) treasurer. Proceeds collected under this section ((~~shall be expended~~)) may be used by the department only for the activities prescribed in this chapter.

**Sec.**  RCW 82.45.060 and 2017 3rd sp.s. c 10 s 13 are each amended to read as follows:

(1) There is imposed an excise tax upon each sale of real property at the rate of one and twenty-eight one-hundredths percent of the selling price. Beginning July 1, 2013, and ending June 30, 2023, an amount equal to two percent of the proceeds of this tax must be deposited in the public works assistance account created in RCW 43.155.050, and an amount equal to four and one‑tenth percent must be deposited in the education legacy trust account created in RCW 83.100.230. Thereafter, an amount equal to six and one-tenth percent of the proceeds of this tax to the state treasurer must be deposited in the public works assistance account created in RCW 43.155.050. Except as otherwise provided in this section, an amount equal to one and six-tenths percent of the proceeds of this tax to the state treasurer must be deposited in the city-county assistance account created in RCW 43.08.290.

(2) In addition to the excise tax authorized in subsection (1) of this section, there is imposed an excise tax upon each sale of real property at the rate of three one-hundredths percent of the selling price. Such funds must be forwarded monthly to the state treasurer to be deposited in the surveys and maps account created in RCW 58.24.060. Proceeds collected under this section may be used by the department of natural resources only for the activities prescribed in RCW 58.24.030.

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