
SENATE BILL 5619

State of Washington

55th Legislature

1997 Regular Session

By Senators Haugen, Brown, Jacobsen, Finkbeiner, Goings, Kline, Winsley and Wood

Read first time 02/04/97. Referred to Committee on Government Operations.

1 AN ACT Relating to acquiring and maintaining conservation areas;
2 amending RCW 82.45.060; adding a new section to chapter 82.45 RCW;
3 adding a new section to chapter 43.99 RCW; providing an effective date;
4 and declaring an emergency.

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

6 **Sec. 1.** RCW 82.45.060 and 1987 c 472 s 14 are each amended to read
7 as follows:

8 (1) There is imposed an excise tax upon each sale of real property
9 at the rate of one and twenty-eight one-hundredths percent of the
10 selling price.

11 (2) An amount equal to seven and seven-tenths percent of the
12 proceeds of ~~((this))~~ the tax imposed under subsection (1) of this
13 section to the state treasurer shall be deposited in the public works
14 assistance account created in RCW 43.155.050.

15 ~~((2) There is imposed an additional excise tax through June 30,~~
16 ~~1989, upon each sale of real property at the rate of six one-hundredths~~
17 ~~of one percent of the selling price. The tax imposed under this~~
18 ~~subsection shall be deposited in the conservation area account under~~
19 ~~RCW 79.71.110.))~~

1 (3) From the proceeds of the tax imposed under subsection (1) of
2 this section, an amount equal to one-half of one percent of the selling
3 price shall be used according to section 2 of this act.

4 NEW SECTION. Sec. 2. A new section is added to chapter 82.45 RCW
5 to read as follows:

6 (1) The proceeds of the tax authorized under RCW 82.45.060(3) shall
7 be used exclusively for the acquisition of a less than fee simple
8 interest in conservation areas and maintenance of conservation areas by
9 state agencies or counties.

10 The tax does not apply to the acquisition of an interest in
11 conservation areas by the state or a county, city, town, or park
12 district.

13 (2) The treasurer of each county shall distribute the receipts from
14 the tax imposed under this section to the state treasurer who shall
15 place the moneys into the conservation lands account created under
16 section 3 of this act.

17 (3) As used in this section, "conservation area" has the meaning
18 given under RCW 36.32.570.

19 NEW SECTION. Sec. 3. A new section is added to chapter 43.99 RCW
20 to read as follows:

21 The conservation lands account is created in the state treasury.
22 Moneys received by the state treasurer from collections of the excise
23 tax on real estate sales, authorized under RCW 82.45.060(3), shall be
24 deposited into the conservation lands account and may be spent only
25 after appropriation. Expenditures from the account may be used by the
26 interagency committee for outdoor recreation only for preparing a
27 conservation areas plan and administering and awarding grants to state
28 agencies or counties to acquire less than fee simple interests in
29 conservation areas, as defined in RCW 36.32.570, except that not more
30 than one percent of amounts administered by the committee may be used
31 for planning and program administration. If sufficient eligible
32 applications are received from counties, at least fifty percent of the
33 funds shall be expended as grants to counties.

34 In cooperation with other state agencies, the interagency committee
35 for outdoor recreation shall adopt and periodically update a plan
36 identifying conservation areas in which the state is to acquire
37 interests, and shall award grants for the acquisition of interests in

1 these identified conservation areas to state agencies, including, but
2 not limited to, the department of fish and wildlife, the department of
3 natural resources, and the state parks and recreation commission. The
4 first priority for these expenditures shall be to acquire interests in
5 conservation areas that are wetlands or agricultural lands.

6 In addition, the interagency committee for outdoor recreation shall
7 adopt and periodically update criteria for the awarding of grants to
8 counties. To be eligible for a grant, the county legislative authority
9 must have imposed and be collecting to the maximum extent under law the
10 conservation tax under RCW 84.34.230 and must have adopted a plan for
11 the expenditure of the grant proceeds. The plan shall be periodically
12 updated. Prior to the adoption or alteration of this plan, the elected
13 officials of cities and towns located within the county shall be
14 consulted and a public hearing shall be held to obtain public input.
15 The first priority for these plans must be the acquisition of interests
16 in conservation areas that are wetlands or agricultural lands. The
17 proceeds of the grant must be expended in conformance with this plan.

18 Before November 1st of each year, the committee shall develop and
19 submit to the chairs of the ways and means committees of the senate and
20 house of representatives a description of the grants made under this
21 section during the preceding fiscal year and a prioritized list of
22 acquisitions that are recommended for funding by the legislature,
23 including one copy to the staff of each of the committees. The list
24 shall include, but not be limited to, a description of each
25 acquisition, the terms and conditions of the grant, the state agency or
26 local government jurisdiction, demonstration of the agency's or local
27 jurisdiction's need for the acquisition, and documentation of local
28 conservation taxes being used to finance the acquisition. The
29 legislature may remove acquisitions from the list recommended by the
30 committee. The legislature shall not change the order of the
31 priorities recommended for funding by the committee.

32 The interagency committee for outdoor recreation shall coordinate
33 its efforts with counties that are acquiring and maintaining
34 conservation areas under this section.

35 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
36 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 July 1, 1997.

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