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**SUBSTITUTE HOUSE BILL 1820**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** House Environment (originally sponsored by Representatives Volz, Tharinger, Senn, McCaslin, Koster, Haler, Shea, Irwin, and Holy)

READ FIRST TIME 02/16/17.

1 AN ACT Relating to the maintenance and operations of parks and  
2 recreational land acquired through the conservation futures program;  
3 and amending RCW 84.34.240.

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

5 **Sec. 1.** RCW 84.34.240 and 2005 c 449 s 2 are each amended to  
6 read as follows:

7 Conservation futures are a useful tool for counties to preserve  
8 lands of public interest for future generations. Counties are  
9 encouraged to use some conservation futures as one tool for salmon  
10 preservation purposes.

11 (1) Any board of county commissioners may establish by resolution  
12 a special fund which may be termed a conservation futures fund to  
13 which it may credit all taxes levied pursuant to RCW 84.34.230.  
14 Amounts placed in this fund may be used for the purpose of acquiring  
15 rights and interests in real property pursuant to the terms of RCW  
16 84.34.210 and 84.34.220, and for the maintenance and operation of any  
17 property acquired with these funds.

18 (2)(a) Generally, the amount of revenue used for maintenance and  
19 operations of ((parks and recreational land)) real property, the  
20 rights or interests of which were acquired pursuant to the terms of  
21 RCW 84.34.210 and 84.34.220, may not exceed fifteen percent of the

1 total amount collected from the tax levied under RCW 84.34.230 in the  
2 preceding calendar year. Revenues from this tax may not be used to  
3 supplant existing maintenance and operation funding.

4 (b) A county may use up to twenty-five percent of the total  
5 amount for maintenance and operations of real property, the rights  
6 and interests of which were acquired pursuant to the terms of RCW  
7 84.34.210 and 84.34.220, which may not be used to supplant existing  
8 maintenance and operation funding, if the county has:

9 (i) Acquired rights and interests in four hundred or more acres  
10 of real property under RCW 84.34.210 and 84.34.220; and

11 (ii) Collected a conservation futures levy for twenty or more  
12 years.

13 (3) Any rights or interests in real property acquired under this  
14 section must be located within the assessing county. (~~Further,~~) The  
15 county must determine if the rights or interests in real property  
16 acquired with these funds would reduce the capacity of land suitable  
17 for development necessary to accommodate the allocated housing and  
18 employment growth, as adopted in the countywide planning policies.  
19 When actions are taken that reduce capacity to accommodate planned  
20 growth, the jurisdiction (~~shall~~) must adopt reasonable measures to  
21 increase the capacity lost by such actions.

22 (~~(2)~~) (4) In counties greater than one hundred thousand in  
23 population, the board of county commissioners or county legislative  
24 authority shall develop a process to help ensure distribution of the  
25 tax levied under RCW 84.34.230, over time, throughout the county.

26 (~~(3)~~) (5)(a) Between July 24, 2005, and July 1, 2008, the  
27 county legislative authority of a county with a population density of  
28 fewer than four persons per square mile may enact an ordinance  
29 offering a ballot proposal to the people of the county to determine  
30 whether or not the county legislative authority may make a one-time  
31 emergency reallocation of unspent conservation futures funds to pay  
32 for other county government purposes, where such conservation futures  
33 funds were originally levied under RCW 84.34.230 but never spent to  
34 acquire rights and interests in real property.

35 (b) Upon adoption by the county legislative authority of a ballot  
36 proposal ordinance under (a) of this subsection the county auditor  
37 shall: (i) Confer with the county legislative authority and review  
38 any proposal to the people as to form and style; (ii) give the ballot  
39 proposal a number, which thereafter (~~shall~~) must be the identifying  
40 number for the proposal; (iii) transmit a copy of the proposal to the

1 prosecuting attorney; and (iv) submit the proposal to the people at  
2 the next general or special election that is not less than ninety  
3 days after the adoption of the ordinance by the county legislative  
4 authority.

5 (c) The county prosecuting attorney (~~shall~~) must within fifteen  
6 working days of receipt of the proposal compose a concise statement,  
7 posed as a positive question, not to exceed twenty-five words, which  
8 shall express and give a true and impartial statement of the  
9 proposal. Such concise statement (~~shall~~) must be the ballot title.

10 (d) If the measure is affirmed by a majority voting on the issue  
11 it shall become effective ten days after the results of the election  
12 are certified.

13 (~~(4)~~) (6) Nothing in this section (~~shall~~) may be construed as  
14 limiting in any manner methods and funds otherwise available to a  
15 county for financing the acquisition of such rights and interests in  
16 real property.

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