

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1820

Chapter 148, Laws of 2017

65th Legislature
2017 Regular Session

CONSERVATION FUTURES PROGRAM--MAINTENANCE AND OPERATION FUNDING--CAP

EFFECTIVE DATE: 7/23/2017

Passed by the House March 3, 2017
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 5, 2017
Yeas 48 Nays 0

CYRUS HABIB

President of the Senate

Approved April 27, 2017 11:02 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1820** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 27, 2017

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1820

Passed Legislature - 2017 Regular Session

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.

Passed by the House March 3, 2017.
Passed by the Senate April 5, 2017.
Approved by the Governor April 27, 2017.
Filed in Office of Secretary of State April 27, 2017.

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