

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1631**

59th Legislature  
2005 Regular Session

Passed by the House April 18, 2005  
Yeas 92 Nays 3

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**Speaker of the House of Representatives**

Passed by the Senate April 7, 2005  
Yeas 46 Nays 3

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1631** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE HOUSE BILL 1631

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AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington                      59th Legislature                      2005 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Clibborn, Fromhold, Moeller, Wallace and Jarrett)

READ FIRST TIME 02/23/05.

1            AN ACT Relating to using revenues under the county conservation  
2 futures levy; and amending RCW 84.34.230 and 84.34.240.

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

4            **Sec. 1.** RCW 84.34.230 and 1995 c 318 s 8 are each amended to read  
5 as follows:

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

10            For the purpose of acquiring conservation futures (~~as well as~~)  
11 and other rights and interests in real property pursuant to RCW  
12 84.34.210 and 84.34.220, and for maintaining and operating any property  
13 acquired with these funds, a county may levy an amount not to exceed  
14 six and one-quarter cents per thousand dollars of assessed valuation  
15 against the assessed valuation of all taxable property within the  
16 county. The limitations in RCW 84.52.043 shall not apply to the tax  
17 levy authorized in this section. Any rights or interests in real  
18 property acquired under this section after the effective date of this  
19 section must be located within the assessing county. Further, the

1 county must determine if the rights or interests in real property  
2 acquired with these funds would reduce the capacity of land suitable  
3 for development necessary to accommodate the allocated housing and  
4 employment growth, as adopted in the countywide planning policies.  
5 When actions are taken that reduce capacity to accommodate planned  
6 growth, the jurisdiction shall adopt reasonable measures to increase  
7 the capacity lost by such actions.

8 **Sec. 2.** RCW 84.34.240 and 1971 ex.s. c 243 s 5 are each amended to  
9 read as follows:

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

14 (1) Any board of county commissioners may establish by resolution  
15 a special fund which may be termed a conservation futures fund to which  
16 it may credit all taxes levied pursuant to RCW 84.34.230. Amounts  
17 placed in this fund may be used (~~solely~~) for the purpose of acquiring  
18 rights and interests in real property pursuant to the terms of RCW  
19 84.34.210 and 84.34.220, and for the maintenance and operation of any  
20 property acquired with these funds. The amount of revenue used for  
21 maintenance and operations of parks and recreational land may not  
22 exceed fifteen percent of the total amount collected from the tax  
23 levied under RCW 84.34.230 in the preceding calendar year. Revenues  
24 from this tax may not be used to supplant existing maintenance and  
25 operation funding. Any rights or interests in real property acquired  
26 under this section must be located within the assessing county.  
27 Further, the county must determine if the rights or interests in real  
28 property acquired with these funds would reduce the capacity of land  
29 suitable for development necessary to accommodate the allocated housing  
30 and employment growth, as adopted in the countywide planning policies.  
31 When actions are taken that reduce capacity to accommodate planned  
32 growth, the jurisdiction shall adopt reasonable measures to increase  
33 the capacity lost by such actions.

34 (2) In counties greater than one hundred thousand in population,  
35 the board of county commissioners or county legislative authority shall  
36 develop a process to help ensure distribution of the tax levied under  
37 RCW 84.34.230, over time, throughout the county.

1       (3)(a) Between the effective date of this section and July 1, 2008,  
2 the county legislative authority of a county with a population density  
3 of fewer than four persons per square mile may enact an ordinance  
4 offering a ballot proposal to the people of the county to determine  
5 whether or not the county legislative authority may make a one-time  
6 emergency reallocation of unspent conservation futures funds to pay for  
7 other county government purposes, where such conservation futures funds  
8 were originally levied under RCW 84.34.230 but never spent to acquire  
9 rights and interests in real property.

10       (b) Upon adoption by the county legislative authority of a ballot  
11 proposal ordinance under (a) of this subsection the county auditor  
12 shall: (i) Confer with the county legislative authority and review any  
13 proposal to the people as to form and style; (ii) give the ballot  
14 proposal a number, which thereafter shall be the identifying number for  
15 the proposal; (iii) transmit a copy of the proposal to the prosecuting  
16 attorney; and (iv) submit the proposal to the people at the next  
17 general or special election that is not less than ninety days after the  
18 adoption of the ordinance by the county legislative authority.

19       (c) The county prosecuting attorney shall within fifteen working  
20 days of receipt of the proposal compose a concise statement, posed as  
21 a positive question, not to exceed twenty-five words, which shall  
22 express and give a true and impartial statement of the proposal. Such  
23 concise statement shall be the ballot title.

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

27       (4) Nothing in this section shall be construed as limiting in any  
28 manner methods and funds otherwise available to a county for financing  
29 the acquisition of such rights and interests in real property.

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