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HOUSE BILL 1095

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State of Washington

62nd Legislature

2011 Regular Session

By Representatives Taylor, Kretz, Short, and McCune

Read first time 01/12/11. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to payments in lieu of taxes for lands managed by  
2 the department of fish and wildlife; amending RCW 77.12.201 and  
3 77.12.203; and creating a new section.

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

5 **Sec. 1.** RCW 77.12.201 and 2009 c 479 s 63 are each amended to read  
6 as follows:

7 (1) The legislative authority of a county may elect, by giving  
8 written notice to the director and the treasurer prior to January 1st  
9 of any year, to obtain for the following year an amount in lieu of real  
10 property taxes on game lands as provided in RCW 77.12.203. Upon the  
11 election, the county shall keep a record of all fines, forfeitures,  
12 reimbursements, and costs assessed and collected, in whole or in part,  
13 under this title for violations of law or rules adopted pursuant to  
14 this title and shall monthly remit an amount equal to the amount  
15 collected to the state treasurer for deposit in the state general fund.  
16 The election shall continue until the department is notified  
17 differently prior to January 1st of any year.

18 (2) If deemed by a county legislative authority as beneficial for  
19 the economic development of the county, the legislative authority may

1 elect to either reduce payments or excuse from payments under this  
2 section all department-owned game land for which the department has an  
3 active, utilized private grazing lease, while collecting payments for  
4 all other department-owned game lands located in the county.

5 (3) For the purposes of this section, "game lands" has the same  
6 meaning as defined in RCW 77.12.203.

7 **Sec. 2.** RCW 77.12.203 and 2005 c 303 s 14 are each amended to read  
8 as follows:

9 (1) Notwithstanding RCW 84.36.010 or other statutes to the  
10 contrary, the director shall pay by April 30th of each year on game  
11 lands in each county, if requested by an election under RCW 77.12.201,  
12 an amount in lieu of real property taxes equal to that amount paid on  
13 similar parcels of open space land taxable under chapter 84.34 RCW or  
14 the greater of seventy cents per acre per year or the amount paid in  
15 1984 plus an additional amount for control of noxious weeds equal to  
16 that which would be paid if such lands were privately owned. This  
17 amount shall not be assessed or paid on department buildings,  
18 structures, facilities, game farms, fish hatcheries, tidelands, or  
19 public fishing areas of less than one hundred acres.

20 (2) "Game lands," as used in this section and RCW 77.12.201, means  
21 those tracts one hundred acres or larger owned in fee by the department  
22 and used for wildlife habitat and public recreational purposes. All  
23 lands purchased for wildlife habitat, public access or recreation  
24 purposes with federal funds in the Snake River drainage basin shall be  
25 considered game lands regardless of acreage.

26 ~~(3) ((This section shall not apply to lands transferred after April~~  
27 ~~23, 1990, to the department from other state agencies.~~

28 ~~(4))~~ The county shall distribute the amount received under this  
29 section in lieu of real property taxes to all property taxing districts  
30 except the state in appropriate tax code areas the same way it would  
31 distribute local property taxes from private property. The county  
32 shall distribute the amount received under this section for weed  
33 control to the appropriate weed district.

34 NEW SECTION. **Sec. 3.** The legislature finds that prior to the  
35 effective date of this section, the department of fish and wildlife was  
36 not required to make payments under RCW 77.12.203 for lands transferred

1 to the department from other state agencies after April 23, 1990. It  
2 is the intent of section 2 of this act to repeal this provision and  
3 require payments under RCW 77.12.203 for this grouping of lands  
4 prospectively only. Nothing in this act may be interpreted to require  
5 the department of fish and wildlife to make retroactive back payments  
6 under RCW 77.12.203 for the period of time between April 23, 1990, and  
7 the effective date of this section.

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