

# SENATE BILL REPORT

## SB 5614

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As of February 4, 2015

**Title:** An act relating to the maintenance and operations of parks and recreational land acquired through the conservation futures program.

**Brief Description:** Concerning the maintenance and operations of parks and recreational land acquired through the conservation futures program.

**Sponsors:** Senators Benton, Angel, Lias, Bailey, Schoesler, Warnick, Ranker, Hobbs and Parlette.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 2/04/15.

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Staff:** Bonnie Kim (786-7316)

**Background:** Statute states that conservation futures are a useful tool for counties to preserve lands of public interest for future generations. The conservation futures levy is a local option property tax assessed at the county level. The maximum levy rate is \$0.0625 per \$1,000 of assessed value. A county may credit all collected taxes into a special conservation futures fund. Counties with populations exceeding 100,000 must develop a process to ensure the levy is distributed throughout the county.

Counties may use conservation futures tax revenues to acquire by purchase, gift, grant, bequest, devise, lease, or otherwise, except by eminent domain, the fee simple or any lesser interest, development right, easement, covenant, or other contractual right necessary to protect, preserve, maintain, improve, restore, limit the future use of, or otherwise conserve, selected open space, farm, agricultural, and timber lands for public use or enjoyment. All rights or interests in real property acquired with conservation futures tax revenues must be located within the assessing county.

Open space lands include land areas that enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, and nature reservations or sanctuaries. Counties may use up to 15 percent of conservation futures tax revenues collected during the previous year for maintenance and operations of parks and recreational land. Tax revenues may not be used to supplant existing sources of maintenance and operations funding.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** A county may allocate up to 25 percent of conservation futures tax revenues collected during the previous year for maintenance and operations of parks and recreational land if it has acquired rights or interests in 100 or more acres of real property with conservation futures tax revenues. Beginning January 1, 2025, a county may allocate up to 30 percent if it has:

- acquired rights or interests in 400 or more acres of real property with conservation futures tax revenues; and
- collected a conservation futures levy for 20 or more years.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill passed out of the committee last year. This is an important bill giving local governments flexibility in maintaining important land. Spokane County's program was established 22 years ago and has over 7200 acres. We have been good stewards of the dollars but are challenged by the 15 percent cap as we acquire more acres. Spokane County is down to \$34 per acre for maintenance and operations.

OTHER: We recognize counties need additional support and would agree to raising the cap to 25 percent if it applied only to counties that have been established for a number of years and have acquired a large number of acres. We would like to keep the provision prohibiting using funds to supplant other duties.

**Persons Testifying:** PRO: Senator Benton, prime sponsor; Shelly O'Quinn, Spokane County Commissioner; John Bottelli, Spokane County Assistant Parks Director.

OTHER: Bill Clarke, Trust for Public Land; Mo McBroom, The Nature Conservancy.