

CHAPTER 392

[Substitute Senate Bill No. 4386]

RURAL COUNTY LIBRARY DISTRICT—INTERCOUNTY RURAL LIBRARY DISTRICT—LIABILITIES OF ANNEXED CITY OR TOWN

AN ACT Relating to special purpose districts; and adding a new section to chapter 27.12 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 27.12 RCW to read as follows:

(1) All liabilities of a city or town that is annexed to a rural county library district or intercounty rural library district, which liabilities were incurred for the purpose of or in the course of acquiring, operating, or maintaining a library or libraries, may, if provided for in the ordinance providing for annexation and in the resolution of the district consenting to annexation, pass to and be assumed by the rural county library district or intercounty rural library district. Notwithstanding the foregoing, if the city or town has incurred any voted bonded indebtedness for the purpose of acquiring, operating, or maintaining a library or libraries, and if the indebtedness is outstanding at the time of the annexation, the voted bonded indebtedness shall not be assumed by the annexing district.

(2) Notwithstanding subsection (1) of this section, if the annexed city or town has outstanding at the time of the annexation any voted bonded indebtedness incurred for the purpose of acquiring, operating, or maintaining a library or libraries, a special election may be called by the board of trustees of the rural county library district or intercounty rural library district, to be held at the next general or special election held in the applicable county or counties, for the purpose of affording the voters residing within the area of the district outside the annexed city or town an opportunity to assume the voted bonded indebtedness of the annexed city or town upon the assent of three-fifths of the voters.

Passed the Senate April 23, 1985.

Passed the House April 16, 1985.

Approved by the Governor May 20, 1985.

Filed in Office of Secretary of State May 20, 1985.

CHAPTER 393

[Engrossed Substitute House Bill No. 91]

OPEN SPACE LAND CLASSIFICATION AND VALUATION

AN ACT Relating to the valuation of open space lands with no current use; amending RCW 84.34.037 and 84.34.060; and adding new sections to chapter 84.34 RCW.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 5, chapter 212, Laws of 1973 1st ex. sess. as amended by section 1, chapter 111, Laws of 1984 and RCW 84.34.037 are each amended to read as follows:

Applications for classification under RCW 84.34.020 subsection (1) or (3) shall be made to the county legislative authority. An application made for classification of land under RCW 84.34.020 subsection (1)(b), or (3) which is in an area subject to a comprehensive plan shall be acted upon in the same manner in which an amendment to the comprehensive plan is processed. Application made for classification of land which is in an area not subject to a comprehensive plan shall be acted upon after a public hearing and after notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing: PROVIDED, That applications for classification of land in an incorporated area shall be acted upon by a determining authority composed of three members of the county legislative body and three members of the city legislative body in which the land is located.

In determining whether an application made for classification under RCW 84.34.020, subsection (1)(b), or (3) should be approved or disapproved, the granting authority may take cognizance of the benefits to the general welfare of preserving the current use of the property which is the subject of application, and may consider whether or not preservation of current use of the land when balanced against the resulting revenue loss or tax shift from granting the application will (1) conserve or enhance natural, cultural, or scenic resources, (2) protect streams (~~or water supplies~~), stream corridors, wetlands, natural shorelines and aquifers, (3) (~~promote conservation of soils, wetlands, beaches or tidal marshes, (4))~~ protect soil resources and unique or critical wildlife and native plant habitat, (4) promote conservation principles by example or by offering educational opportunities, (5) enhance the value of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries, or other open spaces, (~~((5))~~) (6) enhance recreation opportunities, (~~((6))~~) (7) preserve historic and archaeological sites, (~~((7))~~) (8) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of the property (~~(against the potential loss in revenue which may result from granting the application)~~): PROVIDED, That if a public benefit rating system is adopted under section 3 of this 1985 act, the county legislative authority shall rate property applying for classification under RCW 84.34.020(1)(b) according to the public benefit rating system in determining whether an application should be approved or disapproved, but when such a system is adopted, open space properties then classified under this chapter which do not qualify under the system shall not be removed from classification but may be rated according to the public benefit rating system: PROVIDED FURTHER, That the granting authority may approve the application with respect to only part of the land which is the subject of the

application: AND PROVIDED FURTHER, That if any part of the application is denied, the applicant may withdraw the entire application: AND PROVIDED FURTHER, That the granting authority in approving in part or whole an application for land classified pursuant to RCW 84.34.020(1) or (3) may also require that certain conditions be met, including but not limited to the granting of easements: AND PROVIDED FURTHER, That the granting or denial of the application for current use classification is a legislative determination and shall be reviewable only for arbitrary and capricious actions. The granting authority may not require the granting of easements for land classified pursuant to RCW 84.34.020(3).

Sec. 2. Section 6, chapter 87, Laws of 1970 ex. sess. as last amended by section 10, chapter 148, Laws of 1981 and RCW 84.34.060 are each amended to read as follows:

In determining the true and fair value of open space land and timber land, which has been classified as such under the provisions of this chapter, the assessor shall consider only the use to which such property and improvements is currently applied and shall not consider potential uses of such property. The assessor shall compute the assessed value of such property by using the same assessment ratio which he applies generally in computing the assessed value of other property: PROVIDED, That the assessed valuation of open space land with no current use shall not be less than that which would result if it were to be assessed for agricultural uses, except that the assessed valuation of open space land with no current use may be valued based on the public benefit rating system adopted under section 3 of this 1985 act: PROVIDED FURTHER, That timber land shall be valued according to chapter 84.33 RCW.

NEW SECTION. Sec. 3. A new section is added to chapter 84.34 RCW to read as follows:

(1) The county legislative authority may direct the county planning commission to set open space priorities and adopt, after a public hearing, an open space plan and public benefit rating system for the county. The plan shall consist of criteria for determining eligibility of lands, the process for establishing a public benefit rating system, and an assessed valuation schedule. The assessed valuation schedule shall be developed by the county assessor and shall be a percentage of market value based upon the public benefit rating system. The open space plan, the public benefit rating system, and the assessed valuations schedule shall not be effective until approved by the county legislative authority after at least one public hearing: PROVIDED, That any county which has complied with the procedural requisites of this act, prior to the effective date of this act, need not repeat those procedures in order to adopt an open space plan pursuant to this act.

(2) In adopting an open space plan, recognized sources shall be used unless the county does its own survey of important open space priorities or features, or both. Recognized sources include but are not limited to the

natural heritage data base; the state office of historic preservation; the interagency committee for outdoor recreation inventory of dry accretion beach and shoreline features; state, national, county, or city registers of historic places; the shoreline master program; or studies by the parks and recreation commission and by the departments of fisheries, game, and natural resources. Features and sites may be verified by an outside expert in the field and approved by the appropriate state or local agency to be sent to the county legislative authority for final approval as open space.

(3) When the county open space plan is adopted, owners of open space lands then classified under this chapter shall be notified in the same manner as is provided in RCW 84.40.045 of their new assessed value. These lands may be removed from classification, upon request of owner, without penalty within thirty days of notification of value.

(4) The open space plan and public benefit rating system under this section may be adopted for taxes payable in 1986 and thereafter.

NEW SECTION. Sec. 4. A new section is added to chapter 84.34 RCW to read as follows:

The department of revenue, thirty days prior to the convening of each regular session of the legislature, shall submit a report, compiled from information furnished by county assessors, showing the extent of use by general category of the open space plan adopted under section 3 of this act. Such report shall include any comments and recommendations that the department of revenue may have in regard to this program.

Passed the House April 23, 1985.

Passed the Senate April 19, 1985.

Approved by the Governor May 20, 1985.

Filed in Office of Secretary of State May 20, 1985.

---

## CHAPTER 394

[Substitute House Bill No. 512]

### CHILD VICTIMS AND CHILD WITNESSES—BILL OF RIGHTS

AN ACT Relating to a bill of rights for the child victims and child witnesses; and adding a new chapter to Title 7 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature recognizes that it is important that child victims and child witnesses of crime cooperate with law enforcement and prosecutorial agencies and that their assistance contributes to state and local enforcement efforts and the general effectiveness of the criminal justice system of this state. Therefore, it is the intent of the legislature by means of this act, to insure that all child victims and witnesses of crime are treated with the sensitivity, courtesy, and special care that must be afforded to each child victim of crime and that their rights be protected