

changes in the distribution of these revenues based on changed circumstances. The legislative budget committee shall report the results of this study to the legislature by December 15, 1984.

NEW SECTION. Sec. 7. The corrections standards board shall develop minimum design standards for inexpensive local or regional facilities to be used for the incarceration of nonviolent serious traffic offenders without prior history of criminal conviction. The design standards developed shall not preclude the conversion of existing public or private structures. The design standards shall be completed by September 15, 1984.

NEW SECTION. Sec. 8. There is appropriated to the office of financial management for the biennium ending June 30, 1985, from the general fund the sum of three million dollars, or so much thereof as may be necessary, to carry out the purposes of this act. The office of financial management shall distribute these moneys by September 15, 1984. The office of financial management shall transfer up to twenty-nine thousand dollars of the moneys appropriated in this section to the corrections standards board to carry out the purposes of section 7 of this act.

NEW SECTION. Sec. 9. This act shall expire on December 31, 1985.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 3, 1984.

Passed the Senate February 26, 1984.

Approved by the Governor March 5, 1984.

Filed in Office of Secretary of State March 5, 1984.

CHAPTER 111

[Substitute Senate Bill No. 3504]

TIMBER LAND PROPERTY TAX CLASSIFICATION—EASEMENTS ARE NOT REQUIRED—TRANSFERS BETWEEN FARM AND AGRICULTURAL LAND AND TIMBER LAND

AN ACT Relating to property taxation; amending section 5, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.037; and amending section 7, chapter 87, Laws of 1970 ex. sess. as amended by section 8, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.070.

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

Sec. 1. Section 5, chapter 212, Laws of 1973 1st ex. sess. 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 will (1) conserve or enhance natural or scenic resources, (2) protect streams or water supplies, (3) promote conservation of soils, wetlands, beaches or tidal marshes, (4) enhance the value of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries, or other open spaces, (5) enhance recreation opportunities, (6) preserve historic sites, (7) 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 the granting authority may approve the application with respect to only part of the land which is the subject of the application: 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 7, chapter 87, Laws of 1970 ex. sess. as amended by section 8, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.070 are each amended to read as follows:

When land has once been classified under this chapter, it shall remain under such classification and shall not be applied to other use except a transfer between classifications under RCW 84.34.020 (2) and (3) for at least ten years from the date of classification and shall continue under such classification until and unless withdrawn from classification after notice of request for withdrawal shall be made by the owner. During any year after eight years of the initial ten-year classification period have elapsed, notice

of request for withdrawal of all or a portion of the land, which shall be irrevocable, may be given by the owner to the county assessor or assessors of the county or counties in which such land is situated. In the event that a portion of a parcel is removed from classification, the remaining portion must meet the same requirements as did the entire parcel when such land was originally granted classification pursuant to this chapter. Within seven days the county assessor shall transmit one copy of such notice to the legislative body which originally approved the application. The county assessor or assessors, as the case may be, shall, when two assessment years have elapsed following the date of receipt of such notice, withdraw such land from such classification and the land shall be subject to the additional tax due under RCW 84.34.108: PROVIDED, That agreement to tax according to use shall not be considered to be a contract and can be abrogated at any time by the legislature in which event no additional tax or penalty shall be imposed.

Passed the Senate January 12, 1984.

Passed the House February 25, 1984.

Approved by the Governor March 5, 1984.

Filed in Office of Secretary of State March 5, 1984.

CHAPTER 112

[Senate Bill No. 3834]

SALES AND USE TAX FOR PUBLIC TRANSPORTATION SYSTEMS

AN ACT Relating to sales and use taxes for public transportation systems; and amending section 2, chapter 296, Laws of 1971 ex. sess. as last amended by section 1, chapter 163, Laws of 1980 and RCW 82.14.045.

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

Sec. 1. Section 2, chapter 296, Laws of 1971 ex. sess. as last amended by section 1, chapter 163, Laws of 1980 and RCW 82.14.045 are each amended to read as follows:

(1) The legislative body of any city pursuant to RCW 35.92.060, of any county which has created an unincorporated transportation benefit area pursuant to RCW 36.57.100 and 36.57.110, of any public transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090, of any county transportation authority established pursuant to chapter 36.57 RCW, and of any metropolitan municipal corporation within a class AA county pursuant to chapter 35.58 RCW, may, by resolution or ordinance for the sole purpose of providing funds for the operation, maintenance, or capital needs of public transportation systems and in lieu of the excise taxes authorized by RCW 35.95.040, (~~as now or hereafter amended;~~) submit an authorizing proposition to the voters or include such authorization in a proposition to perform the function of public transportation and if approved by a majority of persons voting thereon, fix and impose a sales and use tax in accordance with