

Sims, Gruger,
Laing, North,
Sullivan,
Derdowski,
Nickels

August 10, 1990

Introduced by:

Proposed No.:

90-689

9588

ORDINANCE NO.

AN ORDINANCE adopting The Real Estate Environmental Endowment (TREE) plan and calling for an election to be held on November 6, 1990, to submit to the voters of King County a proposition to enact a 1% real estate excise tax for the acquisition and maintenance of conservation areas pursuant to Laws 1990 1st Ex. Sess., Ch.5.

PREAMBLE:

For the purpose of effective open space preservation and acquisition, the King County council makes the following legislative findings:

1. The Washington State Legislature, by passage of Laws 1990 1st Ex. Sess., Ch. 5, amending RCW 82.46, has authorized counties to submit for voter approval a real estate excise tax of up to 1 percent dedicated to the acquisition and maintenance of open space lands.
2. By overwhelming passage of the 1989 Open Space bond measure the voters of King County have expressed their commitment to acquiring and preserving our diminishing open space resources.
3. The authority outlined in Laws 1990 1st Ex. Sess., Ch. 5 provides King County with the unique and timely ability to acquire remaining open space within its boundaries and preserve for future generations our environment and quality of life.
4. It is appropriate to acquire open space with revenues derived from a tax generated by the growth which threatens open space.
5. This authority is available to all Washington State counties and presents an opportunity for King County to join with neighboring jurisdictions in the Puget Sound region to create a comprehensive open space system unparalleled in this nation.
6. The dramatic growth this region is experiencing makes it imperative King County take immediate, decisive and unprecedented action to preserve the natural heritage of the county.
7. Pursuant to Motion No. 7916 the King County Open Space Citizens Oversight Committee has prepared the attached plan, titled The Real Estate Environmental Endowment (TREE), for expenditure of a 1% real estate excise tax for the acquisition and maintenance of conservation areas.

1 8. TREE has been developed by the Citizens
2 Oversight Committee after consultation with the
3 suburban cities, the City of Seattle and
4 representatives of unincorporated communities
5 within King County as well as four public
6 meetings throughout King County to obtain
7 citizen testimony.

8 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

9 SECTION 1. Under the provisions of Laws 1990 1st Ex.
10 Sess., Ch. 5, King County adopts and incorporates by reference
11 the attached plan entitled The Real Estate Environmental
12 Endowment (TREE) as the plan for the acquisition and
13 maintenance of conservation areas.

14 SECTION 2. This ordinance is enacted pursuant to
15 Washington Laws of 1990 1st Ex. Sess., Ch. 5, amending RCW
16 82.46. It is found and declared that sufficient need to
17 preserve open space exists to submit to the voters of the
18 county at an election to be held therein on November 6, 1990 a
19 proposition authorizing the imposition of a real estate excise
20 tax for a period ending December 31, 2000, to be the obligation
21 of the purchaser with a rate not to exceed 1% of the selling
22 price. The tax proposed herein shall be in addition to any
23 other taxes authorized by law. It shall be collected from those
24 persons who are taxable by the state pursuant to chapter 82.45
25 RCW as now enacted or subsequently amended upon the occurrence
26 of any sale of real property in the county, except that the tax
27 does not apply to the acquisition of conservation areas by the
28 county. The moneys received from such tax are to be expended
29 exclusively for the acquisition and maintenance of conservation
30 areas in accord with TREE.

31 SECTION 3. The manager of the King County Records and
32 Elections Division, as ex officio supervisor of all elections
33 held in King county, is authorized to assume jurisdiction of
34 and to call and conduct such election to be held within the
35 county on November 6, 1990 and to submit to the qualified
36 voters of the county at such election the proposition set
37 below. The clerk of the council is authorized and directed to

1 certify a proposition to the manager of King County Records and
2 Elections Division in substantially the following form:

3 King County, Washington

4 Proposition 21

5 King County Real Estate Excise

6 Tax For Funding The Real Estate

7 Environmental Endowment (TREE)

8 Shall King County, exclusively for the purpose of
9 acquiring and maintaining conservation areas
10 including open space and natural areas, impose a
11 real estate excise tax for a period ending December
12 31, 2000, to be paid by the purchaser with a rate
13 not to exceed one percent of the selling price,
14 which shall be in addition to any other taxes and
15 shall be collected upon the sale of real property
16 in the County, in accordance with RCW 82.46 as
17 amended, all as provided in King County
18 Ordinance 9588.

19 SECTION 4. Severability. Should any section, subsection,
20 paragraph, sentence, clause, or phrase of this ordinance be
21 declared unconstitutional or invalid for any reason, such
22 decision shall not affect the validity of the remaining portion
23 of this ordinance.

24 INTRODUCED AND READ for the first time this 30th day
25 of July, 1990.

26 PASSED this 13th day of August, 1990.

27 KING COUNTY COUNCIL
28 KING COUNTY, WASHINGTON

29 Lois North
30 Chair

31 ATTEST:

32 Gerald A. Peterson
33 Clerk of the Council

34 APPROVED this 24 day of August, 1990.

35 Jim Hill
36 King County Executive

ORDINANCE 9588

**TREE – THE REAL ESTATE
ENVIRONMENTAL ENDOWMENT**

**THE REAL ESTATE ENVIRONMENTAL
ENDOWMENT – A Funding Plan for the Real
Estate Excise Open Space Acquisition Program**

ATTACHMENT(S) AVAILABLE IN ARCHIVES