
HOUSE BILL 1909

State of Washington 60th Legislature 2007 Regular Session

By Representatives Orcutt, B. Sullivan, Roach, Blake, Takko, Pearson, Kristiansen and Hinkle

Read first time 01/31/2007. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to specialized forest products; amending RCW
2 76.48.020, 76.48.040, 76.48.050, 76.48.060, 76.48.070, 76.48.085,
3 76.48.094, 76.48.098, 76.48.110, 76.48.120, and 76.48.150; adding new
4 sections to chapter 76.48 RCW; creating a new section; and prescribing
5 penalties.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the current law
8 on specialized forest products provides important protections to the
9 owners of forest land in Washington. However, these protections, as
10 presently constituted, create a complicated regulatory environment for
11 wood carvers, wood turners, instrument makers, and other wood hobbyists
12 and small businesses. The criminal penalties possible under chapter
13 76.48 RCW increase the risk to otherwise lawful wood hobbyists who have
14 difficulty navigating this complicated regulatory regime.

15 With the introduction of this act, the legislature intends to begin
16 a conversation on proper revisions to chapter 76.48 RCW that
17 streamlines the permitting system for specialized forest products and
18 creates a more equitable and manageable situation for wood hobbyists,

1 while maintaining the chapter's important protections that it provides
2 to forest landowners.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 76.48 RCW
4 to read as follows:

5 It is the intent of legislature for this chapter to be used by law
6 enforcement authorities and others responsible for its implementation
7 to pursue and prosecute those individuals that are genuinely engaged in
8 the theft of large quantities of valuable forest materials, and not
9 those individuals who are responsibly collecting wood or wood pieces
10 from landowners who are aware and accepting of the collection. The
11 legislature urges prosecutorial discretion where warranted and the
12 consideration of all factors involved with a situation before bringing
13 a criminal action under this chapter.

14 **Sec. 3.** RCW 76.48.020 and 2005 c 401 s 1 are each amended to read
15 as follows:

16 The definitions in this section apply throughout this chapter
17 unless the context clearly requires otherwise.

18 (1) "Authorization" means a properly completed preprinted form
19 authorizing the transportation or possession of Christmas trees which
20 contains the information required by RCW 76.48.080, a sample of which
21 is filed before the harvesting occurs with the sheriff of the county in
22 which the harvesting is to occur.

23 (2) "Bill of lading" means a written or printed itemized list or
24 statement of particulars pertinent to the transportation or possession
25 of a specialized forest product.

26 (3) "Carver" means an individual who either for business, artistic,
27 or hobbyist pursuits uses specialized forest products to produce
28 carvings or other artistic products.

29 (4) "Cascara bark" means the bark of a Cascara tree.

30 ~~((+4))~~ (5) "Cedar processor" means any person other than a carver
31 who purchases, takes, or retains possession of cedar products or cedar
32 salvage for later sale in the same or modified form following removal
33 and delivery from the land where harvested.

34 ~~((+5))~~ (6) "Cedar products" means cedar shakeboards, shake and
35 shingle bolts, and rounds one to three feet in length.

1 ~~((+6+))~~ (7) "Cedar salvage" means cedar chunks, slabs, stumps, and
2 logs having a volume greater than one cubic foot and being harvested or
3 transported from areas not associated with the concurrent logging of
4 timber stands (a) under a forest practices application approved or
5 notification received by the department of natural resources, or (b)
6 under a contract or permit issued by an agency of the United States
7 government.

8 ~~((+7+))~~ (8) "Christmas trees" means any evergreen trees or the top
9 thereof, commonly known as Christmas trees, with limbs and branches,
10 with or without roots, including fir, pine, spruce, cedar, and other
11 coniferous species.

12 ~~((+8+))~~ (9) "Cut or picked evergreen foliage," commonly known as
13 brush, means evergreen boughs, huckleberry, salal, fern, Oregon grape,
14 rhododendron, mosses, bear grass, ~~((scotch broom (Cytisus scoparius),))~~
15 and other cut or picked evergreen products. "Cut or picked evergreen
16 foliage" does not mean cones, berries, ~~((any))~~ foliage from any plant
17 that does not remain green year-round, or seeds.

18 ~~((+9+))~~ (10) "Department" means the department of natural
19 resources.

20 (11) "Harvest" means to separate, by cutting, chopping, prying,
21 picking, peeling, breaking, pulling, splitting, or otherwise removing,
22 a specialized forest product (a) from its physical connection or
23 contact with ~~((the))~~ land not owned by the person conducting the
24 harvest or vegetation upon which it is or was growing or (b) from the
25 position in which it is lying upon the land, and the land is not owned
26 by the person conducting the harvest.

27 ~~((+10+))~~ (12) "Harvest site" means each location where one or more
28 persons are engaged in harvesting specialized forest products ~~((close~~
29 ~~enough to each other that communication can be conducted with an~~
30 ~~investigating law enforcement officer in a normal conversational~~
31 ~~tone))~~.

32 ~~((+11+))~~ (13) "Landowner" means, with regard to real property, the
33 private owner, the state of Washington or any political subdivision,
34 the federal government, or a person who by deed, contract, or lease has
35 authority to harvest and sell forest products of the property.
36 "Landowner" does not include the purchaser or successful high bidder at
37 a public or private timber sale.

1 ~~((12))~~ (14) "Native ornamental trees and shrubs" means any trees
2 or shrubs which are not nursery grown and which have been removed from
3 the ground with the roots intact.

4 ~~((13))~~ (15) "Permit area" means a designated tract of land that
5 may contain single or multiple harvest sites.

6 ~~((14))~~ (16) "Person" includes the plural and all corporations,
7 foreign or domestic, copartnerships, firms, and associations of
8 persons.

9 ~~((15))~~ (17) "Processed cedar products" means cedar shakes, bolts,
10 shingles, fence posts, hop poles, pickets, stakes, rails, or rounds
11 ~~((less than one foot))~~ sized between two and twelve inches in length.

12 ~~((16))~~ (18) "Sheriff" means, for the purpose of validating
13 specialized forest products permits, the county sheriff, deputy
14 sheriff, or an authorized employee of the sheriff's office or an agent
15 of the office for the county where the permittee lives, the county from
16 which wood was harvested or transported from, the county where the wood
17 is designated to be transported to, or the county adjacent to any of
18 the previously listed qualifying counties.

19 ~~((17))~~ (19) "Specialized forest products" means Christmas trees,
20 native ornamental trees and shrubs, cut or picked evergreen foliage,
21 unprocessed cedar products, cedar salvage, ~~((processed cedar~~
22 ~~products,))~~ specialty wood, wild edible mushrooms, and Cascara bark.

23 ~~((18))~~ (20) "Specialized forest products permit" means a printed
24 document in a form printed by the department of natural resources, or
25 true copy thereof, that is signed by a landowner or his or her
26 authorized agent or representative, referred to in this chapter as
27 "permitters" and validated by ~~((the))~~ an appropriate county sheriff and
28 authorizes a designated person, referred to in this chapter as
29 "permittee," who has also signed the permit, to harvest, possess, and
30 transport a designated specialized forest product from land owned or
31 controlled and specified by the permittor ~~((and that is located in the~~
32 ~~county where the permit is issued))~~.

33 ~~((19))~~ (21) "Specialty wood" means wood that is ~~((+~~
34 ~~(a))~~ in logs less than eight feet in length, chunks, slabs,
35 stumps, or burls ~~((+and~~
36 ~~(b) One or more of the following:~~
37 ~~(+))~~, is of the species western red cedar (*Thuja plicata*),

1 Englemann spruce (*Picea englemannii*), Sitka spruce (*Picea sitchensis*),
2 big leaf maple (*Acer macrophyllum*), or western red alder(~~(+~~
3 ~~(ii))~~) (*Alnus rubra*), has a total aggregated weight of two hundred
4 pounds, and satisfies one or more of the following:

5 (a) Is without knots in a portion of the surface area at least
6 twenty-one inches long and seven and a quarter inches wide when
7 measured from the outer surface toward the center; or

8 ~~((+iii))~~ (b) Suitable for the purposes of making stringed musical
9 instruments that are plucked or played with a bow or ornamental boxes
10 larger than six inches high by six inches wide by six inches long or
11 that are two hundred sixteen cubic inches or larger and made with a
12 wood product that has a value greater than one hundred dollars.

13 ~~((+20))~~ (22) "Specialty wood buyer" means the first person that
14 receives any specialty wood product after it leaves the harvest site.

15 ~~((+21))~~ (23) "Specialty wood processor" means any person who
16 purchases, takes, or retains possession of specialty wood products or
17 specialty wood salvage for later sale in the same or modified form
18 following removal and delivery from the land where harvested.

19 ~~((+22))~~ (24) "Transportation" means the physical conveyance of
20 specialized forest products outside or off of a harvest site by any
21 means.

22 ~~((+23))~~ (25) "True copy" means a replica of a validated
23 specialized forest products permit as reproduced by a copy machine
24 capable of effectively reproducing the information contained on the
25 permittee's copy of the specialized forest products permit. A copy is
26 made true by the permittee or the permittee and permittor signing in
27 the space provided on the face of the copy. A true copy will be
28 effective until the expiration date of the specialized forest products
29 permit unless the permittee or the permittee and permittor specify an
30 earlier date. A permittor may require the actual signatures of both
31 the permittee and permittor for execution of a true copy by so
32 indicating in the space provided on the original copy of the
33 specialized forest products permit. A permittee, or, if so indicated,
34 the permittee and permittor, may condition the use of the true copy to
35 harvesting only, transportation only, possession only, or any
36 combination thereof.

37 ~~((+24))~~ (26) "Wild edible mushrooms" means edible mushrooms not
38 cultivated or propagated by artificial means.

1 **Sec. 4.** RCW 76.48.040 and 1995 c 366 s 3 are each amended to read
2 as follows:

3 (1) Agencies charged with the enforcement of this chapter shall
4 include, but not be limited to(~~(τ)~~):

5 (a) The Washington state patrol(~~(τ)~~);

6 (b) County sheriffs and their deputies(~~(τ)~~);

7 (c) County or municipal police forces(~~(τ)~~);

8 (d) Authorized personnel of the United States forest service(~~(τ)~~);

9 and

10 (e) Authorized personnel of the (~~departments of natural~~
11 ~~resources~~) department and the department of fish and wildlife.

12 (2) Primary enforcement responsibility of this chapter lies (~~(in)~~)
13 with the county sheriffs and their deputies. The legislature
14 encourages county sheriffs' offices to enter into interlocal agreements
15 with (~~(these)~~) other agencies listed in this section in order to
16 receive additional assistance with their enforcement responsibilities.

17 (3) Enforcement of this chapter must be carried out consistent with
18 section 12 of this act.

19 **Sec. 5.** RCW 76.48.050 and 2005 c 401 s 2 are each amended to read
20 as follows:

21 (1) Specialized forest products permits (~~(shall consist of)~~) issued
22 under this chapter must be properly completed (~~(permit forms)~~) and
23 validated by (~~(the)~~) an appropriate sheriff (~~(of the county in which~~
24 ~~the specialized forest products are to be harvested)~~). Each permit
25 shall be separately numbered (~~(and the issuance of the permits shall be~~
26 ~~by)~~) in consecutive numbers and display the name of the county and a
27 contact number for the county where the permit was issued. All
28 specialized forest products permits shall expire at the end of the
29 calendar year in which issued, or sooner, at the discretion of the
30 permittor.

31 (2) A properly completed specialized forest products permit form
32 shall include:

33 (~~(1)~~) (a) The date of its execution and expiration;

34 (~~(2)~~) (b) The name, address, telephone number, if any, and
35 signature of the permittor;

36 (~~(3)~~) (c) The name, address, telephone number, if any, and
37 signature of the permittee;

1 ~~((4))~~ (d) The type of specialized forest products to be harvested
2 or transported;

3 ~~((5))~~ (e) The approximate amount or volume of specialized forest
4 products to be harvested or transported;

5 ~~((6))~~ (f) The street address or legal description of the property
6 from which the specialized forest products are to be harvested or
7 transported, including the name of the county, or the state or province
8 if outside the state of Washington;

9 ~~((7))~~ (g) A description by local landmarks of where the
10 harvesting is to occur, or from where the specialized forest products
11 are to be transported;

12 ~~((8))~~ (h) For cedar products, cedar salvage, and specialty wood,
13 a copy of a map or aerial photograph, with defined permitted
14 boundaries, included as an attachment to the permit;

15 ~~((9))~~ (i) A copy of a valid picture identification; and

16 ~~((10))~~ (j) Any other condition or limitation which the permittor
17 may specify.

18 (3) Except for the harvesting of Christmas trees, the permit or
19 true copy ~~((thereof))~~ of the permit must be carried by the permittee
20 and the permittee's agents and be available for inspection at all
21 times. For the harvesting of Christmas trees only a single permit or
22 true copy ~~((thereof))~~ of the permit is necessary to be available at the
23 harvest site.

24 **Sec. 6.** RCW 76.48.060 and 2005 c 401 s 3 are each amended to read
25 as follows:

26 (1) A specialized forest products permit validated by ~~((the))~~ an
27 appropriate county sheriff shall be obtained by a person prior to
28 harvesting from any lands, including his or her own, more than five
29 Christmas trees, more than five native ornamental trees or shrubs, more
30 than five pounds of cut or picked evergreen foliage, any unprocessed
31 cedar products, cedar salvage, ~~((processed cedar products,))~~ or more
32 than five pounds of Cascara bark, or more than five United States
33 gallons of a single species of wild edible mushroom.

34 (2)(a) Specialized forest products permit forms shall be provided
35 by the department ~~((of natural resources))~~, and shall be made available
36 to permittees or permittors through the ~~((office of the county sheriff~~

1 ~~to permittees or permittors in reasonable quantities))~~ department's
2 internet web site and from the sheriff's office of each county.

3 (b) A permit form shall be completed in triplicate for each
4 permittor's property on which a permittee harvests specialized forest
5 products.

6 (c) A properly completed permit form shall be mailed or presented
7 for validation to the sheriff of the county in which the specialized
8 forest products are to be harvested.

9 (3) Before a permit form is validated by the sheriff, sufficient
10 personal identification may be required to reasonably identify the
11 person mailing or presenting the permit form and the sheriff may
12 conduct other investigations as deemed necessary to determine the
13 validity of the information alleged on the form. When the sheriff is
14 reasonably satisfied as to the truth of the information, the form shall
15 be validated with the sheriff's validation stamp.

16 (4) Upon validation, the form shall become the specialized forest
17 products permit authorizing the harvesting, possession, or
18 transportation of specialized forest products, subject to any other
19 conditions or limitations which the permittor may specify. Two copies
20 of the permit shall be given or mailed to the permittor, or one copy
21 shall be given or mailed to the permittor and the other copy given or
22 mailed to the permittee. The original permit shall be retained in the
23 office of the county sheriff validating the permit.

24 ~~(5) ((In the event a single land ownership is situated in two or~~
25 ~~more counties, a specialized forest product permit shall be completed~~
26 ~~as to the land situated in each county.~~

27 ~~(6))~~ While engaged in harvesting of specialized forest products,
28 permittees, or their agents or employees, must have readily available
29 at each harvest site a valid permit or true copy of the permit.

30 **Sec. 7.** RCW 76.48.070 and 2005 c 401 s 4 are each amended to read
31 as follows:

32 (1) Except as provided in RCW 76.48.100 and 76.48.075, it is
33 unlawful for any person (a) to possess, (b) to transport, or (c) to
34 possess and transport within the state of Washington, subject to any
35 other conditions or limitations specified in the specialized forest
36 products permit by the permittor, more than five Christmas trees, more
37 than five native ornamental trees or shrubs, more than five pounds of

1 cut or picked evergreen foliage, any processed cedar products, or more
2 than five pounds of Cascara bark, or more than five gallons of a single
3 species of wild edible mushroom without having in his or her possession
4 a written authorization, sales invoice, bill of lading, or specialized
5 forest products permit or a true copy thereof evidencing his or her
6 title to or authority to have possession of specialized forest products
7 being so possessed or transported.

8 (2) It is unlawful for any person either (a) to possess, (b) to
9 transport from the harvest site to the first cedar or specialty wood
10 processor or buyer, or (c) to possess and transport from the harvest
11 site to the first cedar or specialty wood processor buyer within the
12 state of Washington any cedar products, cedar salvage, or specialty
13 wood without having in his or her possession either a specialized
14 forest products permit or a true copy thereof evidencing his or her
15 title to or authority to have possession of the materials being so
16 possessed or transported, or a dated written receipt showing the
17 possessor's lawful purchase of the specialized forest product. The
18 specialized forest products permit ~~((or))~~, true copy ~~((are))~~, or
19 receipt is valid to possess, transport, or possess and transport the
20 cedar products, cedar salvage, or specialty wood from the harvest site
21 to the first cedar or specialty wood processor or buyer.

22 (3) For the purposes of ~~((this))~~ subsection~~((7))~~ (2) of this
23 section:

24 (a) A true copy requires the actual signatures of both the
25 permittee and the permittor for the execution of a true copy; and

26 (b) A receipt must contain the specific location from where the
27 wood was removed or harvested, a description of the wood, and the
28 contact phone number or residence address of the person who owns the
29 land from where the wood was harvested so that the law enforcement
30 authorities may confirm the receipt's legitimate status. The
31 description of the wood must include the species of the wood and one of
32 the following: The height, the width, the length, or the volume of the
33 wood.

34 **Sec. 8.** RCW 76.48.085 and 2005 c 401 s 6 are each amended to read
35 as follows:

36 (1) Buyers who purchase specialized forest products are required to
37 record ~~((1+))~~: (a) The permit number; ~~((2+))~~ (b) the type of forest

1 product purchased; ~~((+3+))~~ (c) the permit holder's name; and ~~((+4+))~~
2 (d) the amount of forest product purchased. The buyer or processor
3 shall keep a record of this information for a period of one year from
4 the date of purchase and must make the records available for inspection
5 upon demand by authorized enforcement officials.

6 (2) The buyer of specialized forest products must record the
7 license plate number of the vehicle transporting the forest products on
8 the bill of sale, as well as the seller's permit number on the bill of
9 sale. This section shall not apply to transactions involving Christmas
10 trees.

11 (3) This section shall not apply to buyers of specialized forest
12 products at the retail sales level.

13 **Sec. 9.** RCW 76.48.094 and 2005 c 401 s 7 are each amended to read
14 as follows:

15 (1) Cedar or specialty wood processors shall make and maintain a
16 record of the purchase, taking possession, or retention of cedar
17 products, cedar salvage, or specialty wood for at least one year after
18 the date of receipt. The record must be legible and must be made at
19 the time each delivery is made.

20 (2) The bill of lading, specialized forest products permit, or a
21 license to transport specialized forest products under section 11 of
22 this act must accompany all cedar products, cedar salvage, or specialty
23 wood products ~~((after the products are received by the cedar or~~
24 ~~specialty wood processor))~~ during transport or during the time when the
25 material is on property not owned by the owner of the material. The
26 bill of lading must include the specialized forest products permit
27 number or the information provided for in RCW 76.48.075(5) and must
28 also specify:

29 (a) The date of transportation;

30 (b) The name and address of the first cedar or specialty wood
31 processor or buyer who recorded the specialized forest products
32 information;

33 (c) The name and address from where the cedar or specialty wood
34 products are being transported;

35 (d) The name of the person receiving the cedar or specialty wood
36 products;

1 (e) The address to where the cedar or specialty wood products are
2 being transported;

3 (f) The name of the driver;

4 (g) The vehicle license number;

5 (h) The type of cedar or specialty wood product being shipped;
6 (~~and~~)

7 (i) The amount of cedar or specialty wood product being shipped;
8 and

9 (j) A description of the cedar or specialty wood product, including
10 species and size dimensions.

11 (3) Any piece of cedar or specialty wood that matches the species
12 listed on the information provided under this section and that, given
13 its size, could have been cut from a larger piece of wood documented
14 under this section is presumed to be covered under the bill of lading,
15 specialized forest products permit, or a license to transport
16 specialized forest products required under this section.

17 **Sec. 10.** RCW 76.48.098 and 2005 c 401 s 9 are each amended to read
18 as follows:

19 (1) Every cedar or specialty wood buyer or processor shall
20 prominently display a valid registration certificate, or copy thereof,
21 obtained from the department of revenue under RCW 82.32.030 at each
22 location where the buyer or processor receives cedar products, cedar
23 salvage, or specialty wood.

24 (2) Permittees shall sell cedar products, cedar salvage, or
25 specialty wood products only to cedar or specialty wood processors
26 displaying registration certificates which appear to be valid or to
27 carvers who are licensed under section 9 of this act.

28 NEW SECTION. **Sec. 11.** A new section is added to chapter 76.48 RCW
29 to read as follows:

30 (1) The department shall provide to an applicant carver a license
31 to transport specialized forest products. The license must be made
32 available to any person who can demonstrate to the satisfaction of the
33 department that he or she is a carver.

34 (2) The license to transport specialized forest products must be
35 provided at no charge to the applicant carver and may be issued from
36 the department's administrative headquarters in Olympia, any department

1 regional office, or through the offices of any other state agency or
2 local sheriff who agrees to a delegation of the authority granted to
3 the department under this section.

4 **Sec. 12.** RCW 76.48.110 and 2005 c 401 s 11 are each amended to
5 read as follows:

6 (1)(a) Whenever any law enforcement officer has probable cause to
7 believe that a person is harvesting or is in possession of or
8 transporting specialized forest products in violation of the provisions
9 of this chapter, he or she may, at the time of making an arrest, seize
10 and take possession of any specialized forest products found. If the
11 specialized forest product is a cedar product, cedar salvage, or
12 specialty wood, at the time of making an arrest the law enforcement
13 officer may seize and take possession of any equipment, vehicles,
14 tools, or paperwork. The law enforcement officer shall provide
15 reasonable protection for the equipment, vehicles, tools, paperwork, or
16 specialized forest products involved during the period of litigation or
17 he or she shall dispose of the equipment, vehicles, tools, paperwork,
18 or specialized forest products at the discretion or order of the court
19 before which the arrested person is ordered to appear.

20 ((+2)) (b) Upon any disposition of the case by the court, the
21 court shall make a reasonable effort to return the equipment, vehicles,
22 tools, paperwork, or specialized forest products to its rightful owner
23 or pay the proceeds of any sale of specialized forest products less any
24 reasonable expenses of the sale to the rightful owner. If for any
25 reason, the proceeds of the sale cannot be disposed of to the rightful
26 owner, the proceeds, less the reasonable expenses of the sale, shall be
27 paid to the treasurer of the county in which the violation occurred.
28 The county treasurer shall deposit the same in the county general fund.
29 The return of the equipment, vehicles, tools, paperwork, or specialized
30 forest products or the payment of the proceeds of any sale of products
31 seized to the owner shall not preclude the court from imposing any fine
32 or penalty upon the violator for the violation of the provisions of
33 this chapter.

34 (2) If no seizure of specialized forest products is made under this
35 section, but the specialized forest products are later proved to be
36 stolen, the sheriff shall commission an independent third-party
37 appraisal based on the description of the stolen specialized forest

1 products. Upon conviction, the transporter of the stolen specialized
2 forest products shall pay the rightful owner three times the appraised
3 market value of the specialized forest products and reimburse the
4 sheriff for reasonable appraisal costs.

5 (3) Upon conviction under this chapter, a person must be denied a
6 specialized forest products permit for the following periods of time:

7 (a) Three months for a first conviction;

8 (b) Six months for a second conviction; and

9 (c) Permanently for any convictions subsequent to a third
10 conviction.

11 **Sec. 13.** RCW 76.48.120 and 2003 c 53 s 373 are each amended to
12 read as follows:

13 (1) It is unlawful for any person, upon official inquiry,
14 investigation, or other authorized proceedings, to offer as genuine any
15 paper, document, or other instrument in writing purporting to be a
16 specialized forest products permit, or true copy thereof,
17 authorization, sales invoice, receipt or bill of lading, or to make any
18 representation of authority to possess or conduct harvesting or
19 transporting of specialized forest products, knowing the same to be in
20 any manner false, fraudulent, forged, or stolen.

21 (2) Any person who knowingly or intentionally violates this section
22 is guilty of a class C felony punishable by imprisonment in a state
23 correctional institution for a maximum term fixed by the court of not
24 more than five years or by a fine of not more than five thousand
25 dollars, or by both imprisonment and fine.

26 (3) Whenever any law enforcement officer reasonably suspects that
27 a specialized forest products permit or true copy thereof,
28 authorization, sales invoice, or bill of lading is forged, fraudulent,
29 or stolen, it may be retained by the officer until its authenticity can
30 be verified.

31 NEW SECTION. **Sec. 14.** A new section is added to chapter 76.48 RCW
32 to read as follows:

33 (1) For the purposes of this chapter, a person transporting
34 specialized forest products is presumed to be in compliance with this
35 chapter if any wood in his or her possession matches the description of

1 the specialized forest products on his or her permit, bill of lading,
2 or receipt, or if the wood:

3 (a) Is of the same species as the wood listed on the permit, bill
4 of lading, or receipt; and

5 (b) Is of such size that it would have been cut from the products
6 listed on the permit, bill of lading, or receipt.

7 (2) Any law enforcement officer initiating an investigation under
8 this chapter must document the product in question by species, size,
9 and quality to the best of his or her ability.

10 **Sec. 15.** RCW 76.48.150 and 2005 c 401 s 13 are each amended to
11 read as follows:

12 (1) The department of natural resources is the designated agency to
13 develop and print the specialized forest products permit and distribute
14 it to the county sheriffs. ((In addition,))

15 (2) The department of natural resources shall develop educational
16 material and other printed information for law enforcement, forest
17 landowners, and specialized forest products harvesters, buyers, and
18 processors specific to this chapter.

19 (3) The department of natural resources shall feature on its
20 official internet web site a guide to understanding and complying with
21 this chapter. The department of fish and wildlife, the department of
22 ecology, the state parks and recreation commission, and the department
23 of agriculture shall feature links to the guide on their respective
24 internet web sites.

--- END ---