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SECOND SUBSTITUTE HOUSE BILL 2004

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State of Washington

54th Legislature

1995 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Thompson, Fuhrman, Goldsmith, Buck, Elliot, Cairnes and Sheldon)

Read first time 03/06/95.

1 AN ACT Relating to necessary emergency measures for the Loomis  
2 state forest; creating new sections; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that an emergency  
5 forest health situation exists in the Loomis state forest. Thousands  
6 of acres of state trust lands are infested with insects and disease.  
7 If this forest health problem is not addressed, the insect infestation  
8 will accelerate, further damaging precious state trust resources and  
9 possibly spreading to private lands. The current fragile state of the  
10 diseased trees is also posing a large risk of catastrophic fire in the  
11 Loomis forest and the surrounding area. The legislature finds it  
12 necessary to initiate immediate action to rectify this dangerous  
13 situation.

14 NEW SECTION. **Sec. 2.** The department of natural resources shall  
15 act expediently to resolve the forest health situation in the Loomis  
16 state forest and shall maximize income to the trust beneficiaries.

1        NEW SECTION.    **Sec. 3.**    (1) In an action seeking review under  
2 chapter 76.09 RCW from the appeals board of a forest practice that  
3 implements the purposes of this act, and as part of that review the  
4 appeals board grants a stay of the implementation action, the appeals  
5 board shall require the person requesting the stay to provide security  
6 to cover the amount of damages potentially resulting from the stay, but  
7 in no case shall the security be less than one hundred thousand  
8 dollars.

9        (2) In any judicial review of a decision under chapter 76.09 RCW  
10 of the appeals board involving a forest practice that implements the  
11 purposes of this act, and as part of that review the court grants a  
12 stay of the implementation action, the court shall require the person  
13 requesting the stay to provide security to cover the amount of damages  
14 potentially resulting from the stay, but in no case shall the security  
15 be less than one hundred thousand dollars.

16        NEW SECTION.    **Sec. 4.**    This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of the  
18 state government and its existing public institutions, and shall take  
19 effect immediately.

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