
SENATE BILL 5574

State of Washington

54th Legislature

1995 Regular Session

By Senators Hargrove, A. Anderson, Snyder, McDonald, Owen, Long, Rasmussen, Swecker, Heavey, Morton, Deccio, Johnson, Loveland, Hale, Sutherland, Strannigan, Palmer, Moyer, Hochstatter, West, Drew, Haugen, Quigley, Bauer and Roach

Read first time 01/26/95. Referred to Committee on Natural Resources.

1 AN ACT Relating to the return of state forest board transfer lands
2 back to counties; amending RCW 76.12.030; and adding a new section to
3 chapter 76.12 RCW.

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

5 **Sec. 1.** RCW 76.12.030 and 1991 c 363 s 151 are each amended to
6 read as follows:

7 If any land acquired by a county through foreclosure of tax liens,
8 or otherwise, comes within the classification of land described in RCW
9 76.12.020 and can be used as state forest land and if the department
10 deems such land necessary for the purposes of this chapter, the county
11 (~~shall~~) may, upon demand by the department, deed such land to the
12 department and the land shall become a part of the state forest lands.

13 Such land shall be held in trust and administered and protected by
14 the department as other state forest lands. Any moneys derived from
15 the lease of such land or from the sale of forest products, oils,
16 gases, coal, minerals, or fossils therefrom, shall be distributed as
17 follows:

18 (1) The expense incurred by the state for administration,
19 reforestation, and protection, not to exceed twenty-five percent, which

1 rate of percentage shall be determined by the board of natural
2 resources, shall be returned to the forest development account in the
3 state general fund.

4 (2) Any balance remaining shall be paid to the county in which the
5 land is located to be paid, distributed, and prorated, except as
6 hereinafter provided, to the various funds in the same manner as
7 general taxes are paid and distributed during the year of payment:
8 PROVIDED, That any such balance remaining paid to a county with a
9 population of less than nine thousand shall first be applied to the
10 reduction of any indebtedness existing in the current expense fund of
11 such county during the year of payment.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 76.12 RCW
13 to read as follows:

14 A board of county commissioners of a county shall have the option
15 of reacquiring total control of all or part of these state forest board
16 transfer lands, within their respective boundaries, that are currently
17 being administered by the department of natural resources. Sixty days
18 after notification is given to the department of natural resources, the
19 respective counties will regain administrative control of these lands,
20 and all preexisting agreements pertaining to these lands shall be
21 considered void. By the end of this sixty-day period, the department
22 of natural resources shall return all records pertaining to these lands
23 to the respective counties. These records shall include, but not be
24 limited to, legal descriptions, stand inventories, listings of all
25 expenditures on these lands, and other pertinent records.

26 Upon the filing of an application by the board of county
27 commissioners, the department of natural resources shall cause notice
28 of the impending transfer to be given in the manner provided by RCW
29 42.30.060. The department shall reconvey the forest lands to the
30 requesting county for as long as the forest lands or traded lands are
31 kept in commercial forest status. If a respective county should choose
32 to sell these lands to maximize the benefit to the citizens of the
33 county, these lands shall be kept in commercial forest status by any
34 present or future purchaser. Also, the principal of this new trust
35 shall not be drawn upon by any governmental agency. The amount of the
36 interest to be reinvested and the manner the funds are to be
37 distributed in the respective counties shall be determined by a
38 majority vote of that county's board of county commissioners. If the

1 lands are sold, no more than fifty percent of the volume may be
2 exported.

3 Any moneys distributed to school districts from this trust,
4 including interest on investments of the trust, shall not be included
5 in the computation of the total annual basic education allocation of
6 the school districts under RCW 28A.150.250 and 28A.150.260 and shall
7 not therefore be deducted from the basic education payments to those
8 districts.

9 These counties regaining control of all or part of their state
10 forest board transfer lands shall pay to the department of natural
11 resources a fee of no more than three dollars per acre for ten years
12 for those lands returned to the direct control of the counties. These
13 moneys shall be used to assist the department of natural resources in
14 rapidly processing harvest applications, fire patrols, transferring of
15 information to the counties, and other similar duties. This agreement
16 may be renegotiated or renewed at the end of the ten years. The first
17 payment by the respective counties would be one year after the sixty-
18 day period of notification has ended.

19 NEW SECTION. **Sec. 3.** If any provision of this act or its
20 application to any person or circumstance is held invalid, the
21 remainder of the act or the application of the provision to other
22 persons or circumstances is not affected.

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