

2 HB 1353 - S COMM AMD
3 By Committee on Transportation

4 ADOPTED 4/11/97

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 47.12.140 and 1981 c 260 s 12 are each amended to
8 read as follows:

9 ~~((1) Except as otherwise provided in subsection (2) of this~~
10 ~~section,))~~ Whenever the department ~~((shall have))~~ has acquired any
11 lands for ~~((highway))~~ transportation purposes, except state granted
12 lands, upon which are located any structures, timber, or other thing of
13 value attached to the land~~((, which))~~ that the department ~~((shall))~~
14 deems it best to sever from the land and sell as personal property, the
15 same may be ~~((sold))~~ disposed of by one of the following means:

16 (1) The department may sell the personal property at public auction
17 after due notice ~~((thereof shall have))~~ has been given in accordance
18 with general ~~((regulations))~~ rules adopted by the secretary. The
19 department may set minimum prices that will be accepted for any item
20 offered for sale at public auction as ~~((herein))~~ provided in this
21 section and may prescribe terms or conditions of sale ~~((and, in the~~
22 ~~event that any)).~~ If an item ~~((shall be))~~ is offered for sale at
23 ~~((such))~~ the auction and ~~((for which))~~ no satisfactory bids ~~((shall~~
24 ~~be))~~ are received or ~~((for which))~~ the amount bid ~~((shall be))~~ is less
25 than the minimum set by the department, ~~((it shall be lawful for))~~ the
26 department ~~((to))~~ may sell ~~((such))~~ the item at private sale for the
27 best price ~~((which))~~ that it deems obtainable, but ~~((at))~~ not less than
28 the highest price bid at the public auction. The proceeds of all sales
29 under this section ~~((shall))~~ must be placed in the motor vehicle fund.

30 (2) The department may issue permits to residents of this state to
31 remove specified quantities of standing or downed trees and shrubs,
32 rock, sand, gravel, or soils ~~((which))~~ that have no market value in
33 place and ~~((which))~~ that the department desires to be removed from
34 state-owned lands ~~((which))~~ that are under the jurisdiction of the
35 department. An applicant for ~~((such))~~ a permit must certify that the
36 materials so removed are to be used by ~~((himself))~~ the applicant and

1 that they will not be disposed of to any other person. Removal of
2 materials (~~((pursuant to))~~) under the permit (~~((shall))~~) must be in
3 accordance with (~~((such regulations as))~~) rules adopted by the department
4 (~~((shall prescribe))~~). The fee for a permit (~~((shall be))~~) is two dollars
5 and fifty cents, which (~~((shall))~~) fee must be deposited in the motor
6 vehicle fund. The department may adopt (~~((regulations))~~) rules providing
7 for special access to limited access facilities for the purpose of
8 removal of materials (~~((pursuant to))~~) under permits authorized in this
9 section.

10 (3) The department may sell timber or logs to an abutting landowner
11 for cash at full appraised value, but only after each other abutting
12 owner (if any), as shown in the records of the county assessor, is
13 notified in writing of the proposed sale. If more than one abutting
14 owner requests in writing the right to purchase the timber within
15 fifteen days after receiving notice of the proposed sale, the timber
16 must be sold in accordance with subsection (1) of this section.

17 (4) The department may sell timber or logs having an appraised
18 value of one thousand dollars or less directly to interested parties
19 for cash at the full appraised value without notice or advertising. If
20 the timber is attached to state-owned land, the department shall issue
21 a permit to the purchaser of the timber to allow for the removal of the
22 materials from state land. The permit fee is two dollars and fifty
23 cents."

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27 In line 2 of the title, after "lands;" strike the remainder of the
28 title and insert "and amending RCW 47.12.140."

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