

2 SHB 1826 - S AMD - 314

3 By Senators Swecker, Stevens, Snyder and Rossi

4 ADOPTED 4/15/97

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

7 "Sec. 1. RCW 76.12.030 and 1991 c 363 s 151 are each amended to
8 read as follows:

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

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

20 (1) The expense incurred by the state for administration,
21 reforestation, and protection, not to exceed (~~twenty-five~~) twenty-two
22 percent, which rate of percentage shall be determined by the board of
23 natural resources, shall be returned to the forest development account
24 in the state general fund. By June 30th of each year, the board of
25 natural resources must establish the percentage and a budget for the
26 following fiscal year in such a manner that the balance in the account
27 does not exceed the amount necessary for six months of operating
28 expenses for administration, reforestation, and protection. The board
29 of natural resources must set the level of the balance of the account
30 in cooperation with the counties that have forest board transfer lands.

31 (2) Any balance remaining after the distribution under subsection
32 (1) of this section shall be paid to the county in which the land is
33 located to be paid, distributed, and prorated, except as hereinafter
34 provided, to the various funds in the same manner as general taxes are
35 paid and distributed during the year of payment(~~(:—PROVIDED, That)~~).
36 Within seven working days of receipt of these moneys, the department

1 shall certify to the state treasurer the amounts to be distributed to
2 the counties. The state treasurer shall distribute funds to the
3 counties four times per month, with no more than ten days between each
4 payment date. Any such balance remaining paid to a county with a
5 population of less than nine thousand shall first be applied to the
6 reduction of any indebtedness existing in the current expense fund of
7 such county during the year of payment.

8 **Sec. 2.** RCW 76.12.120 and 1988 c 128 s 32 and 1988 c 70 s 1 are
9 each reenacted and amended to read as follows:

10 All land, acquired or designated by the department as state forest
11 land, shall be forever reserved from sale, but the timber and other
12 products thereon may be sold or the land may be leased in the same
13 manner and for the same purposes as is authorized for state granted
14 land if the department finds such sale or lease to be in the best
15 financial interests of the ((state and approves the terms and
16 conditions thereof)) respective county trust beneficiaries.

17 Except as provided in RCW 79.12.035, all money derived from the
18 sale of timber or other products, or from lease, or from any other
19 source from the land, except where the Constitution of this state or
20 RCW 76.12.030 requires other disposition, shall be disposed of as
21 follows:

22 (1) Fifty percent shall be placed in the forest development
23 account.

24 (2) Fifty percent shall be prorated and distributed to the state
25 general fund, to be dedicated for the benefit of the public schools,
26 and the county in which the land is located according to the relative
27 proportions of tax levies of all taxing districts in the county. The
28 portion to be distributed to the state general fund shall be based on
29 the regular school levy rate under RCW 84.52.065 as now or hereafter
30 amended and the levy rate for any maintenance and operation special
31 school levies. With regard to the portion to be distributed to the
32 counties, the department shall certify to the state treasurer the
33 amounts to be distributed within seven working days of receipt of the
34 money. The state treasurer shall distribute funds to the counties four
35 times per month, with no more than ten days between each payment date.
36 The money distributed to the county shall be paid, distributed, and
37 prorated to the various other funds in the same manner as general taxes
38 are paid and distributed during the year of payment.

1 **Sec. 3.** RCW 79.01.744 and 1987 c 505 s 76 are each amended to read
2 as follows:

3 (1) It shall be the duty of the commissioner of public lands to
4 report, and recommend, to each session of the legislature, any changes
5 in the law relating to the methods of handling the public lands of the
6 state that he may deem advisable.

7 (2) The commissioner of public lands shall provide a comprehensive
8 biennial report to reflect the previous fiscal period. The report
9 shall include, but not be limited to, descriptions of all department
10 activities including: Revenues generated, program costs, capital
11 expenditures, personnel, special projects, new and ongoing research,
12 environmental controls, cooperative projects, intergovernmental
13 agreements, the adopted sustainable harvest compared to the sales
14 program, and outlines of ongoing litigation, recent court decisions and
15 orders on major issues with the potential for state liability. The
16 report shall describe the status of the resources managed and the
17 recreational and commercial utilization. The report shall be given to
18 the chairs of the house and senate committees on ways and means and the
19 house and senate committees on natural resources, including one copy to
20 the staff of each of the committees, and shall be made available to the
21 public.

22 (3) The commissioner of public lands shall provide annual reports
23 to the respective trust beneficiaries, including each county. The
24 report shall include, but not be limited to, the following: Acres
25 sold, acres harvested, volume from those acres, acres planted, number
26 of stems per acre, acres precommercially thinned, acres commercially
27 thinned, acres partially cut, acres clear cut, age of final rotation
28 for acres clear cut, and the total number of acres off base for harvest
29 and an explanation of why those acres are off base for harvest."

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33 On page 1, line 2 of the title, after "lands;" strike the remainder
34 of the title and insert "amending RCW 76.12.030 and 79.01.744; and
35 reenacting and amending RCW 76.12.120."

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