
HOUSE BILL 1826

State of Washington 55th Legislature 1997 Regular Session

By Representatives Thompson, Sheldon, DeBolt and Schoesler

Read first time 02/11/97. Referred to Committee on Natural Resources.

1 AN ACT Relating to the moneys derived from public lands managed by
2 the commissioner of public lands; amending RCW 76.12.030 and 79.01.744;
3 and reenacting and amending RCW 76.12.120.

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, upon demand by the department, deed such land to the department
12 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) Within seven working days of receipt of the moneys by the
5 department, any balance remaining after the distribution under
6 subsection (1) of this section shall be paid to the county in which the
7 land is located to be paid, distributed, and prorated, except as
8 hereinafter provided, to the various funds in the same manner as
9 general taxes are paid and distributed during the year of payment:
10 PROVIDED, That any such balance remaining paid to a county with a
11 population of less than nine thousand shall first be applied to the
12 reduction of any indebtedness existing in the current expense fund of
13 such county during the year of payment.

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

16 All land, acquired or designated by the department as state forest
17 land, shall be forever reserved from sale, but the timber and other
18 products thereon may be sold or the land may be leased in the same
19 manner and for the same purposes as is authorized for state granted
20 land if the department finds such sale or lease to be in the best
21 financial interests of the ((state and approves the terms and
22 conditions thereof)) respective trust beneficiaries and respective
23 counties.

24 Except as provided in RCW 79.12.035, all money derived from the
25 sale of timber or other products, or from lease, or from any other
26 source from the land, except where the Constitution of this state or
27 RCW 76.12.030 requires other disposition, shall be disposed of as
28 follows:

29 (1) Fifty percent shall be placed in the forest development
30 account.

31 (2) Fifty percent shall be prorated and distributed to the state
32 general fund, to be dedicated for the benefit of the public schools,
33 and the county in which the land is located according to the relative
34 proportions of tax levies of all taxing districts in the county. The
35 portion to be distributed to the state general fund shall be based on
36 the regular school levy rate under RCW 84.52.065 as now or hereafter
37 amended and the levy rate for any maintenance and operation special
38 school levies. Within seven days of receipt of the moneys by the

1 department, the money distributed to the county shall be paid,
2 distributed, and prorated to the various other funds in the same manner
3 as general taxes are paid and distributed during the year of payment.

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

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

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

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

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