

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5325

55th Legislature
1997 Regular Session

Passed by the Senate March 19, 1997
YEAS 32 NAYS 17

President of the Senate

Passed by the House April 15, 1997
YEAS 59 NAYS 36

**Speaker of the
House of Representatives**

Approved

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5325** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5325

Passed Legislature - 1997 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By Senate Committee on Natural Resources & Parks (originally sponsored by Senators Hargrove, Morton, Stevens, Rossi, Snyder and Loveland)

Read first time 02/24/97.

1 AN ACT Relating to transfer of state forest lands back to counties;
2 and adding a new section to chapter 76.12 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 76.12 RCW
5 to read as follows:

6 (1) Until December 31, 2017, a county legislative authority in a
7 county with a population of less than one million five hundred thousand
8 persons may file an application with the board of natural resources for
9 the transfer of all forest lands that were acquired from the county by
10 the state pursuant to RCW 76.12.030 and that are under the
11 administration of the department of natural resources. Upon the filing
12 of an application by the county legislative authority, the board of
13 natural resources shall direct the department of natural resources to
14 reconvey without cost or resurvey the forest lands to the requesting
15 county.

16 (2) Once land has been reconveyed to a county, it must be kept in
17 commercial forest status.

18 (3) The land may not be sold or leased.

1 (4) Transferred lands may be exchanged in such manner as the
2 legislature may prescribe.

3 (5) The land must be managed on a sustained yield basis and
4 consistent with, but not in excess of, current forest practices board
5 rules.

6 (6) The lands must be managed to maximize the financial benefit to
7 the trust beneficiaries in the respective counties.

8 (7) Upon formal notification to the department by the respective
9 county that they desire their state forest board transfer lands
10 reconveyed, the department must transfer all data and documents
11 concerning those lands back to the respective county within ninety
12 days.

13 (8) Upon formal notification by the county to the department for
14 the reconveyance of the land, the department must halt all proposed
15 sale activity on the state forest board transfer land within the
16 respective county. The department is required to replant all lands
17 where there is an active sale occurring at the time a county gives
18 formal notice to the department for reconveyance of the land.

19 (9) The reconveyance of the state forest board transfer land within
20 the county must be done by quitclaim deed, and the term of the
21 reconveyance must be for a period of not less than twenty years.

22 (10) Revenues shall be dispersed as provided in RCW 76.12.030.

23 (11) A maximum management fee of twenty percent may be charged by
24 the counties.

25 (12) All existing contracts for state forest board transfer land
26 will be honored until the completion of the contract, but no extensions
27 may be granted.

28 (13) Existing memorandum of agreement, memorandum of understanding,
29 landscape plan, habitat conservation plan, or similar agreements may be
30 continued at the discretion of the respective county. Any habitat
31 conservation plan inclusion of transferred lands is not permitted
32 unless the county legislative authority agrees to the inclusion by
33 resolution after public hearings and a full fiscal and forest
34 management analysis.

35 (14) The respective county assumes liability for those lands not
36 under contract for harvest by the purchaser at the date of the transfer
37 of the quitclaim deed. Those lands under contract transfer to the
38 county on the expiration date of the original contract. No extensions
39 shall be granted. The respective county will have the option of either

1 having the department replanting those lands, or having the lands
2 replanted, and billing the department for that activity. When billed,
3 the department must make payment within sixty days.

4 (15) Lands shall be open for public recreation consistent with
5 timber management goals. Public access to the land must be allowed
6 whenever possible, subject to the discretion of the local legislative
7 authority. Lands that have recreational use funded by the interagency
8 committee for outdoor recreation, or other similar source, shall remain
9 in recreational use as dictated by agreement, contract, rule, or
10 statute.

11 (16) County personnel managing lands transferred back to a county
12 shall be trained to meet all of the requirements established by the
13 department for its personnel. A county legislative authority may
14 contract with the department for the operation of the forest program
15 for lands transferred back to the county.

16 (17) All counties that exercise their option of reconveyance must
17 make an annual report to the senate and house of representatives
18 natural resources committees, or their successor committees, and to the
19 board of natural resources, by February 1st of each year, as to the
20 activities on those lands. The report must include, but is not limited
21 to: The number of acres harvested; the volume of the harvest from
22 those acres; the number of acres replanted; the number of acres
23 precommercially thinned; the annual cost on a per acre basis; the age
24 of those acres harvested; and the number of acres not designated for
25 harvest, and the reason why such a designation was made.

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