

2 **SSB 6149** - S AMD - 112

3 By Senators Hargrove, Jacobsen and T. Sheldon

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

7 "**Sec. 1.** RCW 76.12.080 and 1988 c 128 s 28 are each amended to
8 read as follows:

9 The department shall take such steps as it deems advisable for
10 locating and acquiring lands suitable for state forests and
11 reforestation. Acquisitions made pursuant to this section shall be at
12 no more than fair market value. No ~~((sum in excess of two dollars per~~
13 ~~acre shall ever be paid or allowed either in cash, bonds or otherwise,~~
14 ~~for any lands suitable for forest growth, but devoid of such; nor shall~~
15 ~~any sum in excess of six dollars per acre be paid or allowed either in~~
16 ~~cash, bonds or otherwise, for any lands adequately restocked with young~~
17 ~~growth or left in a satisfactory natural condition for natural~~
18 ~~reforestation and continuous forest production; nor shall any))~~ lands
19 shall ever be acquired by the department except upon the approval of
20 the title by the attorney general and on a conveyance being made to the
21 state of Washington by good and sufficient deed. No forest lands shall
22 be designated, purchased, or acquired by the department unless the area
23 so designated or the area to be acquired shall, in the judgment of the
24 department, be of sufficient acreage and so located that it can be
25 economically administered for forest development purposes. ~~((Whenever~~
26 ~~the department acquires or designates an area as forest lands it shall~~
27 ~~designate such area by a distinctive name or number, e.g., "State~~
28 ~~forest No.", or, "Cascade State Forest"))).~~

29 **Sec. 2.** RCW 76.12.120 and 1998 c 71 s 2 are each amended to read
30 as follows:

31 Except as provided in section 3 of this act, all land, acquired or
32 designated by the department as state forest land, shall be forever
33 reserved from sale, but the timber and other products thereon may be
34 sold or the land may be leased in the same manner and for the same
35 purposes as is authorized for state granted land if the department

1 finds such sale or lease to be in the best interests of the state and
2 approves the terms and conditions thereof.

3 Except as provided in RCW 79.12.035, all money derived from the
4 sale of timber or other products, or from lease, or from any other
5 source from the land, except where the Constitution of this state or
6 RCW 76.12.030 requires other disposition, shall be disposed of as
7 follows:

8 (1) Fifty percent shall be placed in the forest development
9 account.

10 (2) Fifty percent shall be prorated and distributed to the state
11 general fund, to be dedicated for the benefit of the public schools,
12 and the county in which the land is located according to the relative
13 proportions of tax levies of all taxing districts in the county. The
14 portion to be distributed to the state general fund shall be based on
15 the regular school levy rate under RCW 84.52.065 as now or hereafter
16 amended and the levy rate for any maintenance and operation special
17 school levies. With regard to the portion to be distributed to the
18 counties, the department shall certify to the state treasurer the
19 amounts to be distributed within seven working days of receipt of the
20 money. The state treasurer shall distribute funds to the counties four
21 times per month, with no more than ten days between each payment date.
22 The money distributed to the county shall be paid, distributed, and
23 prorated to the various other funds in the same manner as general taxes
24 are paid and distributed during the year of payment.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 76.12 RCW
26 to read as follows:

27 (1) With the approval of the board of natural resources, the
28 department may directly transfer or dispose of lands acquired under
29 this chapter without public auction, if such lands consist of ten
30 contiguous acres or less, or have a value of twenty-five thousand
31 dollars or less. Such disposal may only occur in the following
32 circumstances:

33 (a) Transfers in lieu of condemnation; and

34 (b) Transfers to resolve trespass and property ownership disputes.

35 (2) Real property to be transferred or disposed of under this
36 section shall be transferred or disposed of only after appraisal and
37 for at least fair market value, and only if such transaction is in the
38 best interest of the state or affected trust.

1 (3) The proceeds from real property transferred or disposed of
2 under this section shall be deposited into the park land trust
3 revolving fund and be solely used to buy replacement land within the
4 same county as the property transferred or disposed.

5 **Sec. 4.** RCW 43.30.115 and 1995 c 211 s 5 are each amended to read
6 as follows:

7 The park land trust revolving fund is to be utilized by the
8 department of natural resources for the exclusive purpose of acquiring
9 real property, including all reasonable costs associated with these
10 acquisitions, as a replacement for the property transferred to the
11 state parks and recreation commission ((~~or~~)), as directed by the
12 legislature in order to maintain the land base of the affected trusts
13 or under section 3 of this act. Proceeds from transfers of real
14 property to the state parks and recreation commission or other proceeds
15 identified from transfers of real property as directed by the
16 legislature shall be deposited in this fund. Disbursement from the
17 park land trust revolving fund to acquire replacement property shall be
18 on the authorization of the department of natural resources. In order
19 to maintain an effective expenditure and revenue control, the park land
20 trust revolving fund is subject in all respects to chapter 43.88 RCW,
21 but no appropriation is required to permit expenditures and payment of
22 obligations from the fund."

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26 On page 1, line 2 of the title, after "lands;" strike the remainder
27 of the title and insert "amending RCW 76.12.080, 76.12.120, and
28 43.30.115; and adding a new section to chapter 76.12 RCW."

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