

3 **SSB 6257 - H COMM AMD Adopted March 5, 2002**
4 By Committee on Natural Resources

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

8 NEW SECTION. **Sec. 1.** The legislature finds that it is in the
9 best interest of the trust beneficiaries to capture additional revenues
10 while providing for additional environmental protection on timber
11 sales. Further, the legislature finds that contract harvesting is one
12 method to achieve these desired outcomes. Therefore, the legislature
13 directs the department of natural resources to establish and implement
14 contract harvesting where there exists the ability to increase revenues
15 for the beneficiaries of the trusts while obtaining increases in
16 environmental protection.

17 NEW SECTION. **Sec. 2.** The definitions in this section apply
18 throughout this chapter unless the context clearly requires otherwise.

- 19 (1) "Commissioner" means the commissioner of public lands.
20 (2) "Contract harvesting" means a timber operation occurring on
21 state forest lands, in which the department contracts with a firm or
22 individual to perform all the necessary harvesting work to process
23 trees into logs sorted by department specifications. The department
24 then sells the individual log sorts.
25 (3) "Department" means the department of natural resources.
26 (4) "Harvesting costs" are those expenses related to the production
27 of log sorts from a stand of timber. These expenses typically involve
28 road building, labor for felling, bucking, and yarding, as well as the
29 transporting of sorted logs to the forest product purchasers.
30 (5) "Net proceeds" means gross proceeds from a contract harvesting
31 sale less harvesting costs.

32 NEW SECTION. **Sec. 3.** (1) The department may establish a contract
33 harvesting program by directly contracting for the removal of timber
34 and other valuable materials from state lands.

1 (2) The contract requirements must be compatible with the office of
2 financial management's guide to public service contracts.

3 (3) Contract harvesting may be used anywhere in the state except
4 for the area east of the Okanogan river, north of the Columbia river
5 and main fork of the Spokane river as these rivers flow east of the
6 crest of the Cascade mountains.

7 (4) The department may not use contract harvesting for more than
8 ten percent of the total annual volume of timber offered for sale.

9 NEW SECTION. **Sec. 4.** The contract harvesting revolving account is
10 created in the custody of the state treasurer. All receipts from the
11 gross proceeds of the sale of logs from a contract harvesting must be
12 deposited into the account. Expenditures from the account may be used
13 only for the payment of harvesting costs incurred on contract
14 harvesting sales. Only the commissioner or the commissioner's designee
15 may authorize expenditures from the account. The board of natural
16 resources has oversight of the account, and the commissioner must
17 periodically report to the board of natural resources as to the status
18 of the account, its disbursement, and receipts. The account is subject
19 to allotment procedures under chapter 43.88 RCW, but an appropriation
20 is not required for expenditures.

21 When the logs from a contract harvesting sale are sold, the gross
22 proceeds must be deposited into the contract harvesting revolving
23 account. Moneys equal to the harvesting costs must be retained in the
24 account and be deducted from the gross proceeds to determine the net
25 proceeds. The net proceeds from the sale of the logs must be
26 distributed in accordance with RCW 43.85.130(1)(b). The final receipt
27 of gross proceeds on a contract harvesting sale must be retained in the
28 contract harvesting revolving account until all required costs for that
29 sale have been paid. The contract harvesting revolving account is an
30 interest-bearing account and the interest must be credited to the
31 account. The account balance may not exceed one million dollars at the
32 end of each fiscal year. Moneys in excess of one million dollars must
33 be disbursed according to RCW 76.12.030, 76.12.120, and 79.64.040. If
34 the department permanently discontinues the use of contract harvesting
35 sales, any sums remaining in the contract harvesting revolving account
36 must be returned to the resource management cost account and the forest
37 development account in proportion to each account's contribution to the
38 initial balance of the contract harvesting revolving account.

1 NEW SECTION. **Sec. 5.** The board of natural resources must
2 determine whether any special appraisal practices are necessary for
3 logs sold by the contract harvesting processes, and if so, must adopt
4 the special appraisal practices or procedures. In its consideration of
5 special appraisal practices, the board of natural resources must
6 consider and adopt procedures to rapidly market and sell any log sorts
7 that failed to receive the required minimum bid at the original
8 auction, which may include allowing the department to set a new
9 appraised value for the unsold sort.

10 The board of natural resources must establish and adopt policy and
11 procedures by which the department evaluates and selects certified
12 contract harvesters. The procedures must include a method whereby a
13 certified contract harvester may appeal a decision by the department or
14 board of natural resources to not include the certified contract
15 harvester on the list of approved contract harvesters.

16 **Sec. 6.** RCW 76.12.030 and 1997 c 370 s 1 are each amended to read
17 as follows:

18 If any land acquired by a county through foreclosure of tax liens,
19 or otherwise, comes within the classification of land described in RCW
20 76.12.020 and can be used as state forest land and if the department
21 deems such land necessary for the purposes of this chapter, the county
22 shall, upon demand by the department, deed such land to the department
23 and the land shall become a part of the state forest lands.

24 Such land shall be held in trust and administered and protected by
25 the department as other state forest lands. Any moneys derived from
26 the lease of such land or from the sale of forest products, oils,
27 gases, coal, minerals, or fossils therefrom, shall be distributed as
28 follows:

29 (1) The expense incurred by the state for administration,
30 reforestation, and protection, not to exceed twenty-five percent, which
31 rate of percentage shall be determined by the board of natural
32 resources, shall be returned to the forest development account in the
33 state general fund.

34 (2) Any balance remaining shall be paid to the county in which the
35 land is located to be paid, distributed, and prorated, except as
36 hereinafter provided, to the various funds in the same manner as
37 general taxes are paid and distributed during the year of payment:
38 PROVIDED, That any such balance remaining paid to a county with a

1 population of less than sixteen thousand shall first be applied to the
2 reduction of any indebtedness existing in the current expense fund of
3 such county during the year of payment.

4 In the event that the department sells logs using the contract
5 harvesting process described in chapter 79.-- RCW (sections 2 through
6 5 of this act), the moneys derived subject to this section are the net
7 proceeds from the contract harvesting sale.

8 **Sec. 7.** RCW 76.12.120 and 2000 c 148 s 2 are each amended to read
9 as follows:

10 Except as provided in RCW 76.12.125, all land, acquired or
11 designated by the department as state forest land, shall be forever
12 reserved from sale, but the timber and other products thereon may be
13 sold or the land may be leased in the same manner and for the same
14 purposes as is authorized for state granted land if the department
15 finds such sale or lease to be in the best interests of the state and
16 approves the terms and conditions thereof.

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 In the event that the department sells logs using the contract
2 harvesting process described in chapter 79.-- RCW (sections 2 through
3 5 of this act), the moneys received subject to this section are the net
4 proceeds from the contract harvesting sale.

5 **Sec. 8.** RCW 79.64.040 and 2001 c 250 s 16 are each amended to read
6 as follows:

7 The board shall determine the amount deemed necessary in order to
8 achieve the purposes of this chapter and shall provide by rule for the
9 deduction of this amount from the moneys received from all leases,
10 sales, contracts, licenses, permits, easements, and rights of way
11 issued by the department and affecting public lands, provided that no
12 deduction shall be made from the proceeds from agricultural college
13 lands. Moneys received as deposits from successful bidders, advance
14 payments, and security under RCW 79.01.132 and 79.01.204 prior to
15 December 1, 1981, which have not been subjected to deduction under this
16 section are not subject to deduction under this section. The
17 deductions authorized under this section shall in no event exceed
18 twenty-five percent of the moneys received by the department in
19 connection with any one transaction pertaining to public lands other
20 than second class tide and shore lands and the beds of navigable
21 waters, and fifty percent of the moneys received by the department
22 pertaining to second class tide and shore lands and the beds of
23 navigable waters.

24 In the event that the department sells logs using the contract
25 harvesting process described in chapter 79.-- RCW (sections 2 through
26 5 of this act), the moneys received subject to this section are the net
27 proceeds from the contract harvesting sale.

28 **Sec. 9.** RCW 43.85.130 and 1981 2nd ex.s. c 4 s 1 are each amended
29 to read as follows:

30 (1) The department shall deposit daily all moneys and fees
31 collected or received by the commissioner of public lands and the
32 department of natural resources in the discharge of official duties as
33 follows:

34 (a) The department shall pay moneys received as advance payments,
35 deposits, and security from successful bidders under RCW 79.01.132 and
36 79.01.204 to the state treasurer for deposit under subsection (1)(b) of

1 this section. Moneys received from unsuccessful bidders shall be
2 returned as provided in RCW 79.01.204;

3 (b) The department shall pay all moneys received on behalf of a
4 trust fund or account to the state treasurer for deposit in the trust
5 fund or account after making the deduction authorized under RCW
6 76.12.030, 76.12.120, ~~((and))~~ 79.64.040, and section 4 of this act;

7 (c) The natural resources deposit fund is hereby created. The
8 state treasurer is the custodian of the fund. All moneys or sums which
9 remain in the custody of the commissioner of public lands awaiting
10 disposition or where the final disposition is not known shall be
11 deposited into the natural resources deposit fund. Disbursement from
12 the fund shall be on the authorization of the commissioner or the
13 commissioner's designee, without necessity of appropriation;

14 (d) If it is required by law that the department repay moneys
15 disbursed under subsections (1)(a) and (1)(b) of this section the state
16 treasurer shall transfer such moneys, without necessity of
17 appropriation, to the department upon demand by the department from
18 those trusts and accounts originally receiving the moneys.

19 (2) Money shall not be deemed to have been paid to the state upon
20 any sale or lease of land until it has been paid to the state
21 treasurer.

22 **Sec. 10.** RCW 43.84.092 and 2001 2nd sp.s. c 14 s 608, 2001 c 273
23 s 6, 2001 c 141 s 3, and 2001 c 80 s 5 are each reenacted and amended
24 to read as follows:

25 (1) All earnings of investments of surplus balances in the state
26 treasury shall be deposited to the treasury income account, which
27 account is hereby established in the state treasury.

28 (2) The treasury income account shall be utilized to pay or receive
29 funds associated with federal programs as required by the federal cash
30 management improvement act of 1990. The treasury income account is
31 subject in all respects to chapter 43.88 RCW, but no appropriation is
32 required for refunds or allocations of interest earnings required by
33 the cash management improvement act. Refunds of interest to the
34 federal treasury required under the cash management improvement act
35 fall under RCW 43.88.180 and shall not require appropriation. The
36 office of financial management shall determine the amounts due to or
37 from the federal government pursuant to the cash management improvement
38 act. The office of financial management may direct transfers of funds

1 between accounts as deemed necessary to implement the provisions of the
2 cash management improvement act, and this subsection. Refunds or
3 allocations shall occur prior to the distributions of earnings set
4 forth in subsection (4) of this section.

5 (3) Except for the provisions of RCW 43.84.160, the treasury income
6 account may be utilized for the payment of purchased banking services
7 on behalf of treasury funds including, but not limited to, depository,
8 safekeeping, and disbursement functions for the state treasury and
9 affected state agencies. The treasury income account is subject in all
10 respects to chapter 43.88 RCW, but no appropriation is required for
11 payments to financial institutions. Payments shall occur prior to
12 distribution of earnings set forth in subsection (4) of this section.

13 (4) Monthly, the state treasurer shall distribute the earnings
14 credited to the treasury income account. The state treasurer shall
15 credit the general fund with all the earnings credited to the treasury
16 income account except:

17 (a) The following accounts and funds shall receive their
18 proportionate share of earnings based upon each account's and fund's
19 average daily balance for the period: The capitol building
20 construction account, the Cedar River channel construction and
21 operation account, the Central Washington University capital projects
22 account, the charitable, educational, penal and reformatory
23 institutions account, the common school construction fund, the contract
24 harvesting revolving account, the county criminal justice assistance
25 account, the county sales and use tax equalization account, the data
26 processing building construction account, the deferred compensation
27 administrative account, the deferred compensation principal account,
28 the department of retirement systems expense account, the drinking
29 water assistance account, the drinking water assistance administrative
30 account, the drinking water assistance repayment account, the Eastern
31 Washington University capital projects account, the education
32 construction fund, the emergency reserve fund, the federal forest
33 revolving account, the health services account, the public health
34 services account, the health system capacity account, the personal
35 health services account, the state higher education construction
36 account, the higher education construction account, the highway
37 infrastructure account, the industrial insurance premium refund
38 account, the judges' retirement account, the judicial retirement
39 administrative account, the judicial retirement principal account, the

1 local leasehold excise tax account, the local real estate excise tax
2 account, the local sales and use tax account, the medical aid account,
3 the mobile home park relocation fund, the multimodal transportation
4 account, the municipal criminal justice assistance account, the
5 municipal sales and use tax equalization account, the natural resources
6 deposit account, the oyster reserve land account, the perpetual
7 surveillance and maintenance account, the public employees' retirement
8 system plan 1 account, the public employees' retirement system combined
9 plan 2 and plan 3 account, the public health supplemental account, the
10 Puyallup tribal settlement account, the resource management cost
11 account, the site closure account, the special wildlife account, the
12 state employees' insurance account, the state employees' insurance
13 reserve account, the state investment board expense account, the state
14 investment board commingled trust fund accounts, the supplemental
15 pension account, the teachers' retirement system plan 1 account, the
16 teachers' retirement system combined plan 2 and plan 3 account, the
17 tobacco prevention and control account, the tobacco settlement account,
18 the transportation infrastructure account, the tuition recovery trust
19 fund, the University of Washington bond retirement fund, the University
20 of Washington building account, the volunteer fire fighters' and
21 reserve officers' relief and pension principal fund, the volunteer fire
22 fighters' and reserve officers' administrative fund, the Washington
23 fruit express account, the Washington judicial retirement system
24 account, the Washington law enforcement officers' and fire fighters'
25 system plan 1 retirement account, the Washington law enforcement
26 officers' and fire fighters' system plan 2 retirement account, the
27 Washington school employees' retirement system combined plan 2 and 3
28 account, the Washington state health insurance pool account, the
29 Washington state patrol retirement account, the Washington State
30 University building account, the Washington State University bond
31 retirement fund, the water pollution control revolving fund, and the
32 Western Washington University capital projects account. Earnings
33 derived from investing balances of the agricultural permanent fund, the
34 normal school permanent fund, the permanent common school fund, the
35 scientific permanent fund, and the state university permanent fund
36 shall be allocated to their respective beneficiary accounts. All
37 earnings to be distributed under this subsection (4)(a) shall first be
38 reduced by the allocation to the state treasurer's service fund
39 pursuant to RCW 43.08.190.

1 (b) The following accounts and funds shall receive eighty percent
2 of their proportionate share of earnings based upon each account's or
3 fund's average daily balance for the period: The aeronautics account,
4 the aircraft search and rescue account, the county arterial
5 preservation account, the department of licensing services account, the
6 essential rail assistance account, the ferry bond retirement fund, the
7 grade crossing protective fund, the high capacity transportation
8 account, the highway bond retirement fund, the highway safety account,
9 the motor vehicle fund, the motorcycle safety education account, the
10 pilotage account, the public transportation systems account, the Puget
11 Sound capital construction account, the Puget Sound ferry operations
12 account, the recreational vehicle account, the rural arterial trust
13 account, the safety and education account, the special category C
14 account, the state patrol highway account, the transportation equipment
15 fund, the transportation fund, the transportation improvement account,
16 the transportation improvement board bond retirement account, and the
17 urban arterial trust account.

18 (5) In conformance with Article II, section 37 of the state
19 Constitution, no treasury accounts or funds shall be allocated earnings
20 without the specific affirmative directive of this section.

21 **Sec. 11.** RCW 84.33.078 and 1986 c 65 s 1 are each amended to read
22 as follows:

23 When any timber standing on public land, other than federally owned
24 land, is sold separate from the land, the department of natural
25 resources or other governmental unit, as appropriate, shall state in
26 its notice of the sale or prospectus that timber sold separate from the
27 land is subject to property tax and that the amount of the tax paid may
28 be used as a credit against any tax imposed with respect to business of
29 harvesting timber from publicly owned land under RCW 84.33.041. If the
30 timber from public land is harvested by the state, its departments and
31 institutions and political subdivisions, or any municipal corporation
32 therein, the governmental unit, or governmental units, that harvest or
33 market the timber must provide the harvester purchasing the timber with
34 its harvesting and marketing costs as defined in RCW 84.33.035(7).

35 **Sec. 12.** RCW 84.33.035 and 2001 c 249 s 1 and 2001 c 97 s 1 are
36 each reenacted and amended to read as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout this chapter.

3 (1) "Agricultural methods" means the cultivation of trees that are
4 grown on land prepared by intensive cultivation and tilling, such as
5 irrigating, plowing, or turning over the soil, and on which all
6 unwanted plant growth is controlled continuously for the exclusive
7 purpose of raising trees such as Christmas trees and short-rotation
8 hardwoods.

9 (2) "Average rate of inflation" means the annual rate of inflation
10 as determined by the department averaged over the period of time as
11 provided in RCW 84.33.220 (1) and (2). This rate shall be published in
12 the state register by the department not later than January 1st of each
13 year for use in that assessment year.

14 (3) "Composite property tax rate" for a county means the total
15 amount of property taxes levied upon forest lands by all taxing
16 districts in the county other than the state, divided by the total
17 assessed value of all forest land in the county.

18 (4) "Forest land" is synonymous with "designated forest land" and
19 means any parcel of land that is twenty or more acres or multiple
20 parcels of land that are contiguous and total twenty or more acres that
21 is or are devoted primarily to growing and harvesting timber.
22 Designated forest land means the land only and does not include a
23 residential homesite. The term includes land used for incidental uses
24 that are compatible with the growing and harvesting of timber but no
25 more than ten percent of the land may be used for such incidental uses.
26 It also includes the land on which appurtenances necessary for the
27 production, preparation, or sale of the timber products exist in
28 conjunction with land producing these products.

29 (5) "Harvested" means the time when in the ordinary course of
30 business the quantity of timber by species is first definitely
31 determined. The amount harvested shall be determined by the Scribner
32 Decimal C Scale or other prevalent measuring practice adjusted to
33 arrive at substantially equivalent measurements, as approved by the
34 department.

35 (6) "Harvester" means every person who from the person's own land
36 or from the land of another under a right or license granted by lease
37 or contract, either directly or by contracting with others for the
38 necessary labor or mechanical services, fells, cuts, or takes timber
39 for sale or for commercial or industrial use. When the United States

1 or any instrumentality thereof, the state, including its departments
2 and institutions and political subdivisions, or any municipal
3 corporation therein so fells, cuts, or takes timber for sale or for
4 commercial or industrial use, the harvester is the first person other
5 than the United States or any instrumentality thereof, the state,
6 including its departments and institutions and political subdivisions,
7 or any municipal corporation therein, who acquires title to or a
8 possessory interest in the timber. The term "harvester" does not
9 include persons performing under contract the necessary labor or
10 mechanical services for a harvester.

11 (7) "Harvesting and marketing costs" means only those costs
12 directly associated with harvesting the timber from the land and
13 delivering it to the buyer and may include the costs of disposing of
14 logging residues. Any other costs that are not directly and
15 exclusively related to harvesting and marketing of the timber, such as
16 costs of permanent roads or costs of reforesting the land following
17 harvest, are not harvesting and marketing costs.

18 (8) "Incidental use" means a use of designated forest land that is
19 compatible with its purpose for growing and harvesting timber. An
20 incidental use may include a gravel pit, a shed or land used to store
21 machinery or equipment used in conjunction with the timber enterprise,
22 and any other use that does not interfere with or indicate that the
23 forest land is no longer primarily being used to grow and harvest
24 timber.

25 (9) "Local government" means any city, town, county, water-sewer
26 district, public utility district, port district, irrigation district,
27 flood control district, or any other municipal corporation, quasi-
28 municipal corporation, or other political subdivision authorized to
29 levy special benefit assessments for sanitary or storm sewerage
30 systems, domestic water supply or distribution systems, or road
31 construction or improvement purposes.

32 (10) "Local improvement district" means any local improvement
33 district, utility local improvement district, local utility district,
34 road improvement district, or any similar unit created by a local
35 government for the purpose of levying special benefit assessments
36 against property specially benefited by improvements relating to the
37 districts.

1 (11) "Owner" means the party or parties having the fee interest in
2 land, except where land is subject to a real estate contract "owner"
3 means the contract vendee.

4 (12) "Primarily" or "primary use" means the existing use of the
5 land is so prevalent that when the characteristic use of the land is
6 evaluated any other use appears to be conflicting or nonrelated.

7 (13) "Short-rotation hardwoods" means hardwood trees, such as but
8 not limited to hybrid cottonwoods, cultivated by agricultural methods
9 in growing cycles shorter than fifteen years.

10 (14) "Small harvester" means every person who from his or her own
11 land or from the land of another under a right or license granted by
12 lease or contract, either directly or by contracting with others for
13 the necessary labor or mechanical services, fells, cuts, or takes
14 timber for sale or for commercial or industrial use in an amount not
15 exceeding two million board feet in a calendar year. When the United
16 States or any instrumentality thereof, the state, including its
17 departments and institutions and political subdivisions, or any
18 municipal corporation therein so fells, cuts, or takes timber for sale
19 or for commercial or industrial use, not exceeding these amounts, the
20 small harvester is the first person other than the United States or any
21 instrumentality thereof, the state, including its departments and
22 institutions and political subdivisions, or any municipal corporation
23 therein, who acquires title to or a possessory interest in the timber.
24 Small harvester does not include persons performing under contract the
25 necessary labor or mechanical services for a harvester, and it does not
26 include the harvesters of Christmas trees or short-rotation hardwoods.

27 (15) "Special benefit assessments" means special assessments levied
28 or capable of being levied in any local improvement district or
29 otherwise levied or capable of being levied by a local government to
30 pay for all or part of the costs of a local improvement and which may
31 be levied only for the special benefits to be realized by property by
32 reason of that local improvement.

33 (16) "Stumpage value of timber" means the appropriate stumpage
34 value shown on tables prepared by the department under RCW 84.33.091,
35 provided that for timber harvested from public land and sold under a
36 competitive bidding process, stumpage value shall mean the actual
37 amount paid to the seller in cash or other consideration. The stumpage
38 value of timber from public land does not include harvesting and
39 marketing costs if the timber from public land is harvested by, or

1 under contract for, the United States or any instrumentality of the
2 United States, the state, including its departments and institutions
3 and political subdivisions, or any municipal corporation therein.
4 Whenever payment for the stumpage includes considerations other than
5 cash, the value shall be the fair market value of the other
6 consideration. If the other consideration is permanent roads, the
7 value of the roads shall be the appraised value as appraised by the
8 seller.

9 (17) "Timber" means forest trees, standing or down, on privately or
10 publicly owned land, and except as provided in RCW 84.33.170 includes
11 Christmas trees and short-rotation hardwoods.

12 (18) "Timber assessed value" for a county means a value, calculated
13 by the department before October 1st of each year, equal to the total
14 stumpage value of timber harvested from privately owned land in the
15 county during the most recent four calendar quarters for which the
16 information is available multiplied by a ratio. The numerator of the
17 ratio is the rate of tax imposed by the county under RCW 84.33.051 for
18 the year of the calculation. The denominator of the ratio is the
19 composite property tax rate for the county for taxes due in the year of
20 the calculation, expressed as a percentage of assessed value.

21 (19) "Timber assessed value" for a taxing district means the timber
22 assessed value for the county multiplied by a ratio. The numerator of
23 the ratio is the total assessed value of forest land in the taxing
24 district. The denominator is the total assessed value of forest land
25 in the county. As used in this section, "assessed value of forest
26 land" means the assessed value of forest land for taxes due in the year
27 the timber assessed value for the county is calculated.

28 (20) "Timber management plan" means a plan prepared by a trained
29 forester, or any other person with adequate knowledge of timber
30 management practices, concerning the use of the land to grow and
31 harvest timber. Such a plan includes:

32 (a) A legal description of the forest land;

33 (b) A statement that the forest land is held in contiguous
34 ownership of twenty or more acres and is primarily devoted to and used
35 to grow and harvest timber;

36 (c) A brief description of the timber on the forest land or, if the
37 timber on the land has been harvested, the owner's plan to restock the
38 land with timber;

1 (d) A statement about whether the forest land is also used to graze
2 livestock;

3 (e) A statement about whether the land has been used in compliance
4 with the restocking, forest management, fire protection, insect and
5 disease control, and forest debris provisions of Title 76 RCW; and

6 (f) If the land has been recently harvested or supports a growth of
7 brush and noncommercial type timber, a description of the owner's plan
8 to restock the forest land within three years.

9 NEW SECTION. **Sec. 13.** The department of natural resources must
10 provide a report to the appropriate committees of the legislature
11 concerning the costs and effectiveness of the contract harvesting
12 program. The report must be submitted by December 31, 2005.

13 NEW SECTION. **Sec. 14.** Sections 2 through 5 of this act constitute
14 a new chapter in Title 79 RCW.

15 NEW SECTION. **Sec. 15.** If any provision of this act or its
16 application to any person or circumstance is held invalid, the
17 remainder of the act or the application of the provision to other
18 persons or circumstances is not affected."

19 **SSB 6257** - H COMM AMD
20 By Committee on Natural Resources

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22 On page 1, line 1 of the title, after "harvesting;" strike the
23 remainder of the title and insert "amending RCW 76.12.030, 76.12.120,
24 79.64.040, 43.85.130, and 84.33.078; reenacting and amending RCW
25 43.84.092 and 84.33.035; adding a new chapter to Title 79 RCW; and
26 creating new sections."

--- END ---