
SENATE BILL 5405

State of Washington

64th Legislature

2015 Regular Session

By Senators Pearson, Dandel, and Warnick

Read first time 01/21/15. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to creating a task force to examine land
2 ownership by the federal government in Washington; creating new
3 sections; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that there are
6 over twenty-two million acres of forest land in Washington, of which,
7 forty-three percent is owned by the federal government. This
8 represents nearly twenty-eight percent of all land in Washington; a
9 percentage that is not equitably distributed among the various
10 counties.

11 (2) The legislature further finds that federal land ownership
12 creates financial burdens for local governments that are unable to
13 assess a property tax on those parcels. Policies to substitute for
14 lost property tax revenue, such as the payments in lieu of taxes
15 program, have been underfunded over the years and require extra
16 expense and resources to ensure they are funded at all.

17 (3) The legislature further finds that federal land management in
18 Washington has not kept up with modern land management standards and
19 needs. From invasive species to catastrophic wildfires, the damage
20 that spreads to adjacent lands from federal lands is simply
21 unacceptable. The costs of lost property, habitat, water quality, air

1 quality, and economic activity is enormous both for local communities
2 and the state as a whole.

3 (4) The legislature further finds that the state of Washington,
4 as a landowner, has a proven track record of responsible management
5 of public land that enables multiple sustainable uses and benefits.

6 (5) The legislature further finds that there have been legitimate
7 questions raised about the effect of the organic acts that conferred
8 statehood on many western territories, including Washington, and
9 obligations of the federal government to return certain land to the
10 states.

11 (6) The legislature further finds that studying the risks and
12 benefits of transferring federal lands to an alternative ownership is
13 appropriate given the continual degradation of federal lands and
14 timely given the current ongoing efforts along similar lines in many
15 other western states.

16 NEW SECTION. **Sec. 2.** (1) A legislative task force on the
17 transfer of federal lands is established to study the risks, options,
18 and benefits of transferring federal lands in Washington to an
19 alternative ownership.

20 (2) The task force members are as provided in this subsection:

21 (a) The speaker of the house of representatives shall appoint one
22 member from each of the two largest caucuses of the house of
23 representatives.

24 (b) The president of the senate shall appoint one member from
25 each of the two largest caucuses of the senate.

26 (c) The speaker of the house of representatives and the president
27 of the senate shall jointly appoint one member representing each of
28 the following:

29 (i) A county with significant federal land ownership located east
30 of the crest of the Cascade mountains;

31 (ii) A county with significant federal land ownership located
32 west of the crest of the Cascade mountains;

33 (iii) Conservation interests; and

34 (iv) Ranching or agricultural interests.

35 (d) The speaker of the house of representatives and the president
36 of the senate shall jointly invite tribal participation on the task
37 force. Tribal participation may take the form of full membership on
38 the task force or any other lesser level of participation requested
39 by the tribal invitees.

1 (e) The governor shall appoint two members, one representing the
2 office of the governor and one representing the department of fish
3 and wildlife.

4 (f) The commissioner of public lands shall appoint one member
5 representing the department of natural resources.

6 (g) The attorney general shall appoint one member representing
7 the office of the attorney general.

8 (3) The task force shall choose its chair or cochair from among
9 its legislative membership. However, the representative from the
10 office of the governor shall convene the initial meeting of the task
11 force and oversee the selection of a chair or cochair.

12 (4)(a) The task force shall:

13 (i) Review and document facts related to the management of
14 federal land in Washington;

15 (ii) Compare environmental outcomes of federal land management
16 with state land management;

17 (iii) Review the potential risks and benefits of pursuing a
18 transfer of federal forest service lands to various alternative
19 ownerships, such as the state, its counties, Indian tribes, not-for-
20 profit land management organizations, or a combination of options;
21 and

22 (iv) Make recommendations as to whether Washington should
23 continue to investigate options and pursue a transfer of federal land
24 ownership in the state.

25 (b) The task force may not consider or include in its
26 recommendations any option that would result in:

27 (i) A transfer of any state or federal public lands into private
28 ownership status; or

29 (ii) A transfer of wilderness areas, national parks, or military
30 installations out of federal ownership.

31 (c) The task force may use the metrics it decides best to
32 accomplish the mandate of this subsection. However, the task force
33 should, to the degree possible, rely on analyses and processes
34 completed by other states and consider whether or not coordinating
35 with other states would provide a strategic advantage for Washington
36 as the option of federal ownership divestiture is explored on a
37 national level.

38 (5) Staff support for the task force shall be provided by the
39 house office of program research and senate committee services, with
40 assistance, as requested by the task force members, from the staff of

1 the governor's office and the state agencies serving on the task
2 force.

3 (6) Legislative members of the task force must be reimbursed for
4 travel expenses in accordance with RCW 44.04.120. Nonlegislative
5 members, except those representing an employer or organization, are
6 entitled to be reimbursed for travel expenses in accordance with RCW
7 43.03.050 and 43.03.060.

8 (7) The expenses of the task force shall be paid jointly by the
9 house of representatives and the senate. Task force expenditures are
10 subject to approval by the house executive rules committee and the
11 senate facilities and operations committee, or their successor
12 committees.

13 (8) The task force shall report its findings and recommendations,
14 if any, to the governor, and the appropriate committees of the
15 legislature in the form of draft legislation or a formal budget
16 request, by October 31, 2016.

17 (9) This section expires July 1, 2017.

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