
SUBSTITUTE SENATE BILL 5574

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Natural Resources (originally sponsored by Senators Hargrove, A. Anderson, Snyder, McDonald, Owen, Long, Rasmussen, Swecker, Heavey, Morton, Deccio, Johnson, Loveland, Hale, Sutherland, Strannigan, Palmer, Moyer, Hochstatter, West, Drew, Haugen, Quigley, Bauer and Roach)

Read first time 03/01/95.

1 AN ACT Relating to the return of state forest board transfer lands
2 back to counties; amending RCW 76.12.030; and adding new sections to
3 chapter 76.12 RCW.

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~~) may, upon (~~demand~~) request by the department, deed such
12 land to the department and the land shall become a part of the state
13 forest lands.

14 Such land shall be held in trust and administered and protected by
15 the department as other state forest lands. Any moneys derived from
16 the lease of such land or from the sale of forest products, oils,
17 gases, coal, minerals, or fossils therefrom, shall be distributed as
18 follows:

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

6 (2) Any balance remaining 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 NEW SECTION. **Sec. 2.** The legislative authority of a county shall
15 have the option of reacquiring total control of all or part of these
16 state forest board transfer lands, within the county, that are
17 currently being administered by the department of natural resources.
18 In the event of a transfer to a county, these lands shall be retained
19 in trust and administered and protected as other state forest lands.
20 Sixty days after notification is given to the department of natural
21 resources, the county will regain administrative control of these
22 lands. By the end of this sixty-day period, the department of natural
23 resources shall return all records pertaining to these lands to the
24 respective counties. These records shall include, but not be limited
25 to, legal descriptions, stand inventories, listings of all expenditures
26 on these lands, and other pertinent records.

27 Upon the filing of an application by the county legislative
28 authority, the department of natural resources shall cause notice of
29 the impending transfer to be given in the manner provided by RCW
30 42.30.060. The department shall reconvey the forest lands to the
31 requesting county for as long as the forest lands or traded lands are
32 kept in commercial forest status.

33 NEW SECTION. **Sec. 3.** Revenue from the sale of timber and other
34 forest products from the lands transferred to the counties shall be
35 distributed according to the general tax distribution of the county.
36 Counties may deduct a fee of up to twenty-five percent of such revenues
37 to cover the management of the county forest lands.

1 NEW SECTION. **Sec. 4.** Any state or federal restrictions on log
2 export will apply to the county forest lands. State forest practice
3 law shall apply to the management of the county forest lands.

4 NEW SECTION. **Sec. 5.** The counties shall manage county forest land
5 using state of the art silviculture practices. Management may be
6 contracted to private professional foresters. Counties may jointly
7 manage lands with written agreement by the respective legislative
8 authorities.

9 NEW SECTION. **Sec. 6.** County forest lands may be traded to other
10 public or private parties on a value-for-value basis as long as all
11 lands are kept in commercial forest status. The county shall allow
12 public access when consistent with forest practice requirements. The
13 county shall allow access to other public or private lands by agreement
14 when such access is needed for forest management purposes, or other
15 purposes specified by the agreement.

16 NEW SECTION. **Sec. 7.** Sections 2 through 6 of this act are each
17 added to chapter 76.12 RCW.

18 NEW SECTION. **Sec. 8.** If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

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