

FINAL BILL REPORT

SHB 3085

C 42 L 06

Synopsis as Enacted

Brief Description: Making technical corrections to certain public lands statutes.

Sponsors: By House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Blake, Kretz, B. Sullivan, Orcutt, Haler and Ericks).

House Committee on Natural Resources, Ecology & Parks
Senate Committee on Natural Resources, Ocean & Recreation

Background:

The Department of Natural Resources (DNR) has authority to sell timber and other valuable resources from state lands. Most sales conducted by the DNR must be done at public auction to the highest bidder. Before valuable materials can be sold, the sale must be properly advertised so that the maximum number of potential buyers are aware of the pending sale. However, the DNR has authority to offer a direct sale without notice or advertising for sales appraised at \$20,000 or less.

For sales other than direct sales, the DNR is required to publish a notice in newspapers no less than twice within the four-week period leading up to a sale. For valuable materials sales over \$100,000, the DNR is required to provide notice by an individual notice of sale and by publishing a statewide list of sales. The list must be published in a pamphlet and arranged alphabetically by county.

In 2003, the Legislature enacted Substitute Senate Bill 5751 (Chapter 381, Laws of 2003), which contains policy changes regarding valuable materials sales. Chapter 381, Laws of 2003, changes the maximum dollar amount for directly sold valuable materials from \$20,000 to \$25,000 and excludes valuable materials sales that are appraised at less than \$250,000 from the requirement for an individual notice of sale and inclusion in the statewide pamphlet of sales.

In 2003, the Legislature also enacted Engrossed House Bill 1252 (Chapter 334, Laws of 2003), consolidating and updating the statute that governs DNR public land statutes, without making substantive policy changes. However, Chapter 334, Laws of 2003, repealed the sections amended in Chapter 381, Laws of 2003, and recodified them into new sections. If during any session of the Legislature two or more acts amend the same section of laws without reference to each other, each act is given effect to the extent that the amendments do not conflict in purpose.

Summary:

Chapter 381, Laws of 2003, is repealed and policy changes from the act are incorporated into the current statute. Changes include increasing the direct sales cap from \$20,000 to \$25,000 and exempting sales up to \$250,000 in value from the pamphlet publication requirements.

Votes on Final Passage:

House 98 0

Senate 45 0

Effective: June 7, 2006