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**SUBSTITUTE SENATE BILL 5405**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senate Natural Resources & Parks (originally sponsored by Senators Pearson, Dansel, and Warnick)

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

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

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

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

(3) The legislature further finds that federal land management in Washington has not kept up with modern land management standards and needs. From invasive species to catastrophic wildfires, the damage that spreads to adjacent lands from federal lands is simply unacceptable. The costs of lost property, habitat, water quality, air quality, and economic activity is enormous both for local communities and the state as a whole.

(4) The legislature further finds that the state of Washington, as a landowner, has a proven track record of responsible management of public land that enables multiple sustainable uses and benefits while at the same time fully considering the input of local and statewide stakeholders from industry, recreation, and conservation interests.

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

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

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

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

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

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

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

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

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

(iii) Conservation interests;

(iv) Ranching or agricultural interests;

(v) Forest landowner interests; and

(vi) Recreational interests.

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

(e) The governor shall appoint three members, one representing the office of the governor, one representing the department of fish and wildlife, and one representing the state parks and recreation commission.

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

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

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

(4)(a) The task force shall:

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

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

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

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

(v) Identify issues and provide recommendations for improving the responsiveness of federal land management to the needs and interests of the citizens of Washington with respect to access, use, conservation, recreation, road and land maintenance, productivity, and fiscal stability and predictability associated with federal lands. These specific issues and recommendations must also be shared with congress.

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

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

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

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

(5) Staff support for the task force shall be provided by the house office of program research and senate committee services, with assistance, as requested by the task force members, from the staff of the governor's office and the state agencies serving on the task force.

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

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

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

(9) This section expires July 1, 2017.

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