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**SUBSTITUTE SENATE BILL 6090**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senate Committee on Ways & Means (originally sponsored by Senator Loveland)

Read first time 04/05/1999.

1 AN ACT Relating to funding management of agricultural college  
2 lands; amending RCW 79.64.030 and 79.64.040; adding a new section to  
3 chapter 79.64 RCW; providing an effective date; and declaring an  
4 emergency.

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

6 **Sec. 1.** RCW 79.64.030 and 1993 c 460 s 2 are each amended to read  
7 as follows:

8 Funds in the account derived from the gross proceeds of leases,  
9 sales, contracts, licenses, permits, easements, and rights of way  
10 issued by the department and affecting school lands, university lands,  
11 (~~agricultural college lands~~) scientific school lands, normal school  
12 lands, capitol building lands, or institutional lands shall be pooled  
13 and expended by the department solely for the purpose of defraying the  
14 costs and expenses necessarily incurred in managing and administering  
15 all of the trust lands enumerated in this section. Such funds may be  
16 used for similar costs and expenses in managing and administering other  
17 lands managed by the department provided that such expenditures that  
18 have been or may be made on such other lands shall be repaid to the

1 resource management cost account together with interest at a rate  
2 determined by the board of natural resources.

3 Costs and expenses necessarily incurred in managing and  
4 administering agricultural college lands shall not be deducted from  
5 proceeds derived from the sale of such lands or from the sale of  
6 resources that are part of the lands. Costs and expenses incurred in  
7 managing and administering agricultural college trust lands shall be  
8 funded by appropriation under section 3 of this act.

9 An accounting shall be made annually of the accrued expenditures  
10 from the pooled trust funds in the account. In the event the  
11 accounting determines that expenditures have been made from moneys  
12 derived from trust lands for the benefit of other lands, such  
13 expenditure shall be considered a debt and an encumbrance against the  
14 property benefited, including property held under chapter 76.12 RCW.  
15 The results of the accounting shall be reported to the legislature at  
16 the next regular session. The state treasurer is authorized, upon  
17 request of the department, to transfer funds between the forest  
18 development account and the resource management cost account solely for  
19 purpose of repaying loans pursuant to this section.

20 **Sec. 2.** RCW 79.64.040 and 1981 2nd ex.s. c 4 s 3 are each amended  
21 to read as follows:

22 The board shall determine the amount deemed necessary in order to  
23 achieve the purposes of this chapter and shall provide by rule for the  
24 deduction of this amount from the gross proceeds of all leases, sales,  
25 contracts, licenses, permits, easements, and rights of way issued by  
26 the department and affecting public lands, provided that no deduction  
27 shall be made from the proceeds from agricultural college lands.  
28 Moneys received as deposits from successful bidders, advance payments,  
29 and security under RCW 79.01.132 and 79.01.204 prior to December 1,  
30 1981, which have not been subjected to deduction under this section are  
31 not subject to deduction under this section. The deductions authorized  
32 under this section shall in no event exceed twenty-five percent of the  
33 total sum received by the department in connection with any one  
34 transaction pertaining to public lands other than second class tide and  
35 shore lands and the beds of navigable waters, and fifty percent of the  
36 total gross proceeds received by the department pertaining to second  
37 class tide and shore lands and the beds of navigable waters.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 79.64 RCW  
2 to read as follows:

3        The agricultural college trust management account is created in the  
4 state treasury. To the account shall be deposited such funds as the  
5 legislature directs or appropriates. Moneys in the account may be  
6 spent only after appropriation. Expenditures from the account may be  
7 used only for the costs of managing the assets of the agricultural  
8 school trust.

9        NEW SECTION.    **Sec. 4.**    This act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of the  
11 state government and its existing public institutions, and takes effect  
12 July 1, 1999.

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