
ENGROSSED SUBSTITUTE SENATE BILL 6149

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Natural Resources, Parks & Recreation
(originally sponsored by Senators Jacobsen, T. Sheldon and Rasmussen;
by request of Commissioner of Public Lands)

Read first time 01/24/2000.

1 AN ACT Relating to the sale of specific lands for the purposes of
2 resolving trespass on state forest lands; amending RCW 76.12.080,
3 76.12.120, and 43.30.115; and adding a new section to chapter 76.12
4 RCW.

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

6 **Sec. 1.** RCW 76.12.080 and 1988 c 128 s 28 are each amended to read
7 as follows:

8 The department shall take such steps as it deems advisable for
9 locating and acquiring lands suitable for state forests and
10 reforestation. Acquisitions made pursuant to this section shall be at
11 no more than fair market value. No (~~sum in excess of two dollars per~~
12 ~~acre shall ever be paid or allowed either in cash, bonds or otherwise,~~
13 ~~for any lands suitable for forest growth, but devoid of such; nor shall~~
14 ~~any sum in excess of six dollars per acre be paid or allowed either in~~
15 ~~cash, bonds or otherwise, for any lands adequately restocked with young~~
16 ~~growth or left in a satisfactory natural condition for natural~~
17 ~~reforestation and continuous forest production; nor shall any)) lands
18 shall ever be acquired by the department except upon the approval of
19 the title by the attorney general and on a conveyance being made to the~~

1 state of Washington by good and sufficient deed. No forest lands shall
2 be designated, purchased, or acquired by the department unless the area
3 so designated or the area to be acquired shall, in the judgment of the
4 department, be of sufficient acreage and so located that it can be
5 economically administered for forest development purposes. (~~Whenever~~
6 ~~the department acquires or designates an area as forest lands it shall~~
7 ~~designate such area by a distinctive name or number, e.g., "State~~
8 ~~forest No.", or, "Cascade State Forest"~~)).

9 **Sec. 2.** RCW 76.12.120 and 1998 c 71 s 2 are each amended to read
10 as follows:

11 Except as provided in section 3 of this act, all land, acquired or
12 designated by the department as state forest land, shall be forever
13 reserved from sale, but the timber and other products thereon may be
14 sold or the land may be leased in the same manner and for the same
15 purposes as is authorized for state granted land if the department
16 finds such sale or lease to be in the best interests of the state and
17 approves the terms and conditions thereof.

18 Except as provided in RCW 79.12.035, all money derived from the
19 sale of timber or other products, or from lease, or from any other
20 source from the land, except where the Constitution of this state or
21 RCW 76.12.030 requires other disposition, shall be disposed of as
22 follows:

23 (1) Fifty percent shall be placed in the forest development
24 account.

25 (2) Fifty percent shall be prorated and distributed to the state
26 general fund, to be dedicated for the benefit of the public schools,
27 and the county in which the land is located according to the relative
28 proportions of tax levies of all taxing districts in the county. The
29 portion to be distributed to the state general fund shall be based on
30 the regular school levy rate under RCW 84.52.065 as now or hereafter
31 amended and the levy rate for any maintenance and operation special
32 school levies. With regard to the portion to be distributed to the
33 counties, the department shall certify to the state treasurer the
34 amounts to be distributed within seven working days of receipt of the
35 money. The state treasurer shall distribute funds to the counties four
36 times per month, with no more than ten days between each payment date.
37 The money distributed to the county shall be paid, distributed, and

1 prorated to the various other funds in the same manner as general taxes
2 are paid and distributed during the year of payment.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 76.12 RCW
4 to read as follows:

5 (1) With the approval of the board of natural resources, the
6 department may directly transfer or dispose of lands acquired under
7 this chapter without public auction, if such lands consist of ten
8 contiguous acres or less, or have a value of twenty-five thousand
9 dollars or less. Such disposal may only occur in the following
10 circumstances:

11 (a) Transfers in lieu of condemnation; and

12 (b) Transfers to resolve trespass and property ownership disputes.

13 (2) Real property to be transferred or disposed of under this
14 section shall be transferred or disposed of only after appraisal and
15 for at least fair market value, and only if such transaction is in the
16 best interest of the state or affected trust.

17 (3) The proceeds from real property transferred or disposed of
18 under this section shall be deposited into the park land trust
19 revolving fund and be solely used to buy replacement land within the
20 same county as the property transferred or disposed.

21 **Sec. 4.** RCW 43.30.115 and 1995 c 211 s 5 are each amended to read
22 as follows:

23 The park land trust revolving fund is to be utilized by the
24 department of natural resources for the exclusive purpose of acquiring
25 real property, including all reasonable costs associated with these
26 acquisitions, as a replacement for the property transferred to the
27 state parks and recreation commission ~~((or))~~, as directed by the
28 legislature in order to maintain the land base of the affected trusts
29 or under section 3 of this act. Proceeds from transfers of real
30 property to the state parks and recreation commission or other proceeds
31 identified from transfers of real property as directed by the
32 legislature shall be deposited in this fund. Disbursement from the
33 park land trust revolving fund to acquire replacement property shall be
34 on the authorization of the department of natural resources. In order
35 to maintain an effective expenditure and revenue control, the park land
36 trust revolving fund is subject in all respects to chapter 43.88 RCW,

1 but no appropriation is required to permit expenditures and payment of
2 obligations from the fund.

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