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HOUSE BILL 2385

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State of Washington                      59th Legislature                      2006 Regular Session

By Representatives Kretz, Blake, B. Sullivan, Sump and Haler; by request of Department of Natural Resources

Prefiled 12/29/2005.      Read first time 01/09/2006.      Referred to Committee on Natural Resources, Ecology & Parks.

1            AN ACT Relating to technical corrections to public lands statutes;  
2 amending RCW 79.15.050 and 79.15.080; and repealing 2003 c 381 ss 1, 2,  
3 and 3.

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

5            **Sec. 1.** RCW 79.15.050 and 2003 c 334 s 353 are each amended to  
6 read as follows:

7            (1) All sales of valuable materials exceeding (~~twenty~~) twenty-  
8 five thousand dollars in appraised value must be at public auction or  
9 by sealed bid to the highest bidder, provided that on public lands  
10 granted to the state for educational purposes sealed bids may be  
11 accepted for sales of timber or stone only.

12            (2) A direct sale of valuable materials may be sold to the  
13 applicant for cash at full appraised value without notice or  
14 advertising. The board must, by resolution, establish the value amount  
15 of a direct sale not to exceed (~~twenty~~) twenty-five thousand dollars  
16 in appraised sale value, and establish procedures to ensure that  
17 competitive market prices and accountability are guaranteed.

1           **Sec. 2.** RCW 79.15.080 and 2003 c 334 s 347 are each amended to  
2 read as follows:

3           (1) Sales, other than direct sales, appraised at an amount not  
4 exceeding ~~((one))~~ two hundred fifty thousand dollars, when authorized  
5 by the board for sale, shall be advertised by publishing not less than  
6 ten days prior to sale a notice of such sale in a newspaper of general  
7 circulation located nearest to the property from which the valuable  
8 material is to be sold.

9           (2) Except as provided in RCW 79.15.050, all other proposed sales  
10 of valuable materials must be advertised through individual notice of  
11 sale and publication of a statewide list of sales.

12           ~~((a))~~ The notice of sale:

13           ~~((i))~~ (a) Must specify the place, date, and time of sale, the  
14 appraised value thereof, and describe with particularity each parcel of  
15 land from which valuable materials are to be sold. The estimated  
16 volume will be identified and the terms of sale will be available in  
17 the region headquarters and the department's Olympia office;

18           ~~((ii))~~ (b) May prescribe that the bid deposit required in RCW  
19 79.15.110 be considered an opening bid;

20           ~~((iii))~~ ~~Must be published not less than two times during a four-~~  
21 ~~week period prior to the time of sale in at least one newspaper of~~  
22 ~~general circulation where the material is located; and~~

23           ~~(iv))~~ (c) Must be posted in a conspicuous place in the  
24 department's Olympia office and in the region headquarters  
25 administering the sale, and in the office of the county auditor of the  
26 county where the material is located; and

27           (d) May be advertised in a newspaper of general circulation where  
28 the material is located.

29           ~~((b))~~ ~~The department shall print a list of all valuable material on~~  
30 ~~public lands that are to be sold. The list should be organized by~~  
31 ~~county and by alphabetical order.~~

32           ~~(i)~~ ~~The list should be published in a pamphlet form, issued at~~  
33 ~~least four weeks prior to the date of any sale and provide sale~~  
34 ~~information to prospective buyers.~~

35           ~~(ii)~~ ~~The department must retain for free distribution in the~~  
36 ~~Olympia office and the region offices sufficient copies of the~~  
37 ~~pamphlet, to be kept in a conspicuous place, and, when requested to do~~

1 ~~so, must mail copies of the pamphlet as issued to any requesting~~  
2 ~~applicant.~~

3 ~~(iii) The department may seek additional means of publishing the~~  
4 ~~information in the pamphlet, such as on the internet, to increase the~~  
5 ~~number of prospective buyers.)~~

6 (3) The department is authorized to expend any sum in additional  
7 advertising of the sales as it deems necessary.

8 NEW SECTION. **Sec. 3.** The following acts or parts of acts are each  
9 repealed:

- 10 (1) 2003 c 381 s 1;  
11 (2) 2003 c 381 s 2; and  
12 (3) 2003 c 381 s 3.

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