
HOUSE BILL 1372

State of Washington

69th Legislature

2025 Regular Session

By Representatives Orcutt, Pollet, Klicker, and Ley

Read first time 01/17/25. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to modifying joint legislative audit and review
2 committee studies by extending the sunset act, allowing the extension
3 of timelines for conducting studies, and removing barriers to
4 continuing the sustainable harvest study; and amending RCW
5 43.131.900, 43.131.051, 76.04.516, and 44.28.083.

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

7 **Sec. 1.** RCW 43.131.900 and 2013 c 44 s 2 are each amended to
8 read as follows:

9 RCW 43.131.010 through 43.131.150 expire June 30, ((2025)) 2045,
10 unless extended by law for an additional fixed period of time.

11 **Sec. 2.** RCW 43.131.051 and 2000 c 189 s 4 are each amended to
12 read as follows:

13 The joint legislative audit and review committee shall conduct a
14 program and fiscal review of any entity scheduled for termination
15 under this chapter. This program and fiscal review shall be completed
16 and a preliminary report prepared during the calendar year prior to
17 the date established for termination. These reports shall be prepared
18 in the manner set forth in RCW 44.28.071 and 44.28.075. The
19 legislative auditor, as defined in RCW 44.28.005, must develop and
20 implement criteria to ensure that the staff resources and associated

1 costs devoted to program reviews are proportionate to the size and
2 complexity of the program budget. Upon completion of its preliminary
3 report, the joint legislative audit and review committee shall
4 transmit copies of the report to the office of financial management
5 and any affected entity. The final report shall include the response,
6 if any, of the affected entity and the office of financial management
7 in the same manner as set forth in RCW 44.28.088, except the affected
8 entity and the office of financial management shall have sixty days
9 to respond to the report. The joint legislative audit and review
10 committee shall transmit the final report to the legislature, to the
11 state entity affected, to the governor, and to the state library.

12 **Sec. 3.** RCW 76.04.516 and 2022 c 297 s 967 are each amended to
13 read as follows:

14 (1) By December 1st of each even-numbered year, and in compliance
15 with RCW 43.01.036, the department must report to the governor and
16 legislature on the following:

17 (a) The type and amount of the expenditures made, by fiscal year,
18 and for what purpose, from the wildfire response, forest restoration,
19 and community resilience account created in RCW 76.04.511 and from
20 expenditures made from the general fund for implementation of chapter
21 297, Laws of 2022;

22 (b) The amount of unexpended and unobligated funds in the
23 wildfire response, forest restoration, and community resilience
24 account and recommendations for the disbursement to local districts;

25 (c) Progress on implementation of the wildland fire protection
26 10-year strategic plan including, but not limited to, how investments
27 are reducing human-caused wildfire starts, lowering the size and
28 scale and geography of catastrophic wildfires, reducing the
29 communities, landscapes, and population at risk, and creating
30 resilient landscapes and communities;

31 (d) Progress on implementation of the 20-year forest health
32 strategic plan as established through the forest health assessment
33 and treatment framework pursuant to RCW 76.06.200 including, but not
34 limited to: Assessment of fire prone lands and communities that are
35 in need of forest health treatments; forest health treatments
36 prioritized and conducted by landowner type, geography, and risk
37 level; estimated value of any merchantable materials from forest
38 health treatments; and number of acres treated by treatment type,
39 including the use of prescribed fire;

1 (e) Progress on developing markets for forest residuals and
2 biomass generated from forest health treatments.

3 (2) The department must include recommendations on any
4 adjustments that may be necessary or advisable to the mechanism of
5 funding dispensation as created under chapter 298, Laws of 2021.

6 (3) The report required in this section should support existing
7 department assessments pursuant to RCW 79.10.530 and 76.06.200.

8 (4) (a) (i) Prior to the determination of the 2025-2034 sustainable
9 harvest calculation as required by RCW 79.10.320, the department must
10 hire an independent third-party contractor to assist it in updating
11 its forest inventory by increasing the intensity of forest sample
12 plots on all forestlands over the next two biennium. The department's
13 sustainable harvest calculation technical advisory committee must be
14 involved in the design, development, and implementation of this
15 forest inventory update.

16 (ii) For purposes of this subsection, "forest inventory" means
17 the collection of sample data to estimate a range of forest
18 attributes including, but not limited to, standing volume, stored
19 carbon, habitat attributes, age classes, tree species, and other
20 inventory attributes, including information needed to estimate rates
21 of tree growth and associated carbon sequestration on department
22 lands.

23 (iii) The department's sustainable harvest calculation technical
24 advisory committee must bring forward recommendations for regular
25 maintenance and updates to the forest inventory on a ten-year basis.

26 (b) Prior to the determination of the 2025-2034 sustainable
27 harvest calculation as required by RCW 79.10.320, the department must
28 hire a third-party contractor to review, analyze, and advise the
29 department's forest growth and yield modeling, specific to all types
30 of forested acres managed by the department. The department's
31 sustainable harvest calculation technical advisory committee must be
32 involved in the design, review, and analysis of the department's
33 forest growth and yield modeling.

34 (c) Prior to the determination of the 2025-2034 sustainable
35 harvest calculation as required by RCW 79.10.320 (~~and in the absence~~
36 ~~of any litigation, pending or in progress, against the department's~~
37 ~~sustainable harvest calculation)), the joint legislative audit and
38 review committee established in chapter 44.28 RCW must oversee and
39 conduct an independent review of the methodologies and data being
40 utilized by the department in the development of the sustainable~~

1 harvest calculation, including the associated forest inventory,
2 forest growth, harvest and yield data, and modeling techniques that
3 impact harvest levels. In carrying out the review, the joint
4 legislative audit and review committee shall:

5 (i) Retain one or more contractors with expertise in forest
6 inventories, forest growth and yield modeling, and operational
7 research modeling in forest harvest scheduling to conduct the
8 technical review;

9 (ii) Be a member of department's sustainable harvest calculation
10 technical advisory committee, along with one of its contractors
11 selected in (c)(i) of this subsection; and

12 (iii) Prior to the department's determination of the sustainable
13 harvest calculation under RCW 79.10.320, ensure that a completed
14 independent review and report with findings and recommendations is
15 submitted to the board of natural resources and the legislature.

16 (d) Upon receiving the report from the joint legislative audit
17 and review committee required under (c)(iii) of this subsection, the
18 board of natural resources shall determine whether modifications are
19 necessary to the sustainable harvest calculation prior to approving
20 harvest level under RCW 79.10.320.

21 **Sec. 4.** RCW 44.28.083 and 2010 c 26 s 3 are each amended to read
22 as follows:

23 (1) At the conclusion of the regular legislative session of each
24 odd-numbered year, the joint legislative audit and review committee
25 shall develop and approve a performance audit work plan for the
26 ensuing biennium. The biennial work plan may be modified, as
27 necessary, at the conclusion of other legislative sessions to reflect
28 actions taken by the legislature and the joint committee. The work
29 plan shall include a description of each performance audit, and the
30 cost of completing the audits on the work plan shall be limited to
31 the funds appropriated to the joint committee. Approved performance
32 audit work plans shall be transmitted to the entire legislature by
33 July 1st following the conclusion of each regular session of an odd-
34 numbered year and as soon as practical following other legislative
35 sessions.

36 (2) Among the factors to be considered in preparing the work
37 plans are:

38 (a) Whether a program newly created or significantly altered by
39 the legislature warrants continued oversight because (i) the fiscal

1 impact of the program is significant, or (ii) the program represents
2 a relatively high degree of risk in terms of reaching the stated
3 goals and objectives for that program;

4 (b) Whether implementation of an existing program has failed to
5 meet its goals and objectives by any significant degree;

6 (c) Whether a follow-up audit would help ensure that previously
7 identified recommendations for improvements were being implemented;
8 ((and))

9 (d) Whether an assignment for the joint committee to conduct a
10 performance audit has been mandated in legislation; and

11 (e) Whether a planned review that is part of a mandated,
12 recurring study would provide the legislature with new or additional
13 information.

14 (3) The legislative auditor may consult with the chairs and staff
15 of appropriate legislative committees, the state auditor, and the
16 director of financial management in developing the performance audit
17 work plan.

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