

SENATE BILL REPORT

SB 5527

AS REPORTED BY COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES,
MARCH 6, 1991

Brief Description: Creating the Washington public forest commission.

SPONSORS: Senators Barr, Owen, Amondson, Sutherland, Conner and Snyder.

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

Majority Report: Do pass.

Signed by Senators Metcalf, Chairman; Oke, Vice Chairman; Amondson, Barr, Conner, Owen, Patterson, and Snyder.

Staff: Vic Moon (786-7469)

Hearing Dates: February 19, 1991; March 6, 1991

BACKGROUND:

Commodity commissions are created to support research, provide markets, and to promote the commodity. Examples of these commissions are the Washington State Apple Commission, the State Mint Commission, and the recently created Washington State Hardwoods Commission.

SUMMARY:

A Washington Public Forest Commission is created. It is established for the purposes of promoting the sale of forest products by advertising and other promotional means, conducting research, and entering into contracts to render services. The commission may accept contributions from private organizations and may accept additional state and federal funds. The commission may publish and distribute bulletins and other communications. The commission will establish an assessment rate to defray its operating costs and administer the chapter.

An annual budget shall be adopted by the commission according to generally accepted accounting practices. The commission is given the authority to bring legal and administrative actions to implement the chapter and may investigate and prosecute civil violations and file complaints with appropriate law enforcement agencies.

To provide funding for the commission, assessments shall be levied on all producers. The assessment for each producer shall be 1 percent of the bid value of all softwood timber removed from public lands in Washington State under a timber sale entered into after the effective date of the act. The

timber sale would have to have a minimum advertised volume of 500,000 board feet net or more. The assessment would be payable to the commission on the last day of the month following the end of the calendar quarter in which the timber is removed.

The assessment rate payable to the commission may be changed by the commission with a two-thirds vote. Penalty for late payment or assessments is 5 percent on the first month of delinquency and 10 percent the second month, 20 percent the third month and later.

Obligations incurred by the commission and liabilities or claims against it shall be enforced only against the assets of the commission in the same manner as if it were a corporation and no liability for the debts or actions of the commission will exist against either the state of Washington or any officer or member of the commission.

The commission shall require reports, statements and records, and it will be a misdemeanor to refuse to provide information to the commission.

The commission is composed of 11 members who are timber producers. All members are initially appointed by the Governor and shall be appointed for staggered terms. Four members shall be appointed to a two-year term, four members for a three-year term and three members to a four-year term. The commission shall adopt rules and regulations by January 1, 1992.

Requirements for commission members and the types of groups they represent are provided.

Appropriation: none

Revenue: yes

Fiscal Note: available

Effective Date: The bill contains an emergency clause and takes effect immediately.

TESTIMONY FOR:

A commission is needed to promote the forest industry.

TESTIMONY AGAINST:

This proposal will reduce income to the trusts and does not cover all lands; it only affects public lands.

TESTIFIED: Ted LaDoux (pro); Jim O'Donnell (pro); Karl Denison, U.S. Forest Service (con); Richard Junsk, WA Forest Protection Assn. (con); Art Sterns, Dept. of Natural Resources (con)