

HOUSE BILL REPORT

HB 1353

As Amended by the Senate

Title: An act relating to sale of materials from department of transportation lands.

Brief Description: Facilitating sale of materials from department of transportation lands.

Sponsors: By House Committee on Transportation Policy & Budget (originally sponsored by Representatives Buck, Fisher, K. Schmidt, Mitchell and Wensman; by request of Department of Transportation).

Brief History:

Committee Activity:

Transportation Policy & Budget: 2/6/97, 2/10/97 [DP].

Floor Activity:

Passed House: 3/11/97, 96-0.

Senate Amended.

HOUSE COMMITTEE ON TRANSPORTATION POLICY & BUDGET

Majority Report: Do pass. Signed by 25 members: Representatives K. Schmidt, Chairman; Hankins, Vice Chairman; Mielke, Vice Chairman; Mitchell, Vice Chairman; Fisher, Ranking Minority Member; Blalock, Assistant Ranking Minority Member; Cooper, Assistant Ranking Minority Member; Backlund; Buck; Cairnes; Chandler; Constantine; DeBolt; Hatfield; Johnson; Murray; O'Brien; Ogden; Radcliff; Robertson; Scott; Skinner; Sterk; Wood and Zellinsky.

Staff: Reema Shawa (786-7301).

Background: Under current law the Department of Transportation (DOT) is authorized to dispose of materials on state-owned land. A process requires a public auction to be held after due notice has been given. However, if no satisfactory bids are received, the department may sell the materials privately. An alternative process for disposal of materials of no value allows the DOT to issue permits and give the materials away.

When a parcel of land abutting a state right of way is logged, the small strip of timber which is left standing on the right of way is made vulnerable to blow-down, posing a safety hazard to the motoring public. The DOT is authorized to give away

timber which has no value; but if the department wants to sell the timber, it must do so by public auction, regardless of the timber's value or quantity.

Summary of Bill: Two additional processes are prescribed which enable the Department of Transportation to dispose of timber attached to state land: (1) The department may sell the timber to an abutting landowner for cash at the full appraised value. If there is more than one abutting landowner, they must be notified of the proposed sale. If more than one abutting landowner requests the right to purchase the timber, the timber must be sold through public auction. (2) The department may sell timber having a value of \$1,000 or less directly to a permit applicant for cash at the full appraised value, without public notice or advertisement.

Grammatical and gender amendments are included.

EFFECT OF SENATE AMENDMENT(S): The amended bill clarifies ambiguous language in subsection four, by changing the term the applicant– to interested parties– and then adds language to further clarify the intent that those individuals interested in purchasing timber which remains attached to state land are required to obtain a permit from the department which authorizes them to do so.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill will enable the Department of Transportation to more effectively dispose of timber on state right of way, which can become a safety hazard when an abutting parcel of land is logged, and the small strip of timber on the state right of way is left standing.

Testimony Against: None.

Testified: Joe Pestinger, Department of Transportation.