

SENATE BILL REPORT

SB 5312

As Reported By Senate Committee On:
Transportation, February 6, 1997

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: Senators Wood, Haugen and Prince; by request of Department of Transportation.

Brief History:

Committee Activity: Transportation: 1/29/97, 2/6/97 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5312 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prince, Chair; Wood, Vice Chair; Goings, Haugen, Heavey, Horn, Jacobsen, Morton, Oke, Patterson, Prentice and Rasmussen.

Staff: Reema Shawa (786-7301)

Background: The Department of Transportation 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. 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 department to issue permits and give the materials away.

Currently, 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 Department of Transportation 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. By itself, the small amount of timber in the right of way often will not attract enough buyers to justify the expense of a public auction.

Summary of Substitute Bill: Two additional processes are prescribed which enable the Department of Transportation to dispose of timber attached to state land: 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. Also, the department may sell timber having a value of \$1,000 or less directly to interested parties for cash at the full appraised value, without public notice or advertisement. If the timber remains attached to state land, then the department must issue a permit which allows the interested parties to remove the timber. The permit fee is \$2.50.

Substitute Bill Compared to Original Bill: The substitute clarifies ambiguous language in subsection (4) 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: Requested on January 22, 1997.

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 right of way is left standing.

Testimony Against: None.

Testified: Jo Pestsinger, Washington State Department of Transportation (pro).