
SENATE BILL 5387

State of Washington

55th Legislature

1997 Regular Session

By Senators McDonald, Prentice, Kline, Oke and Spanel; by request of
Commissioner of Public Lands and Department of Natural Resources

Read first time 01/24/97. Referred to Committee on Natural Resources
& Parks.

1 AN ACT Relating to the creation of the trust land transfer program;
2 and adding a new chapter to Title 79 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds it to be in the best
5 interest of the state and the best interest of state land trusts to
6 establish the trust land transfer program. The legislature further
7 finds the purpose of the trust land transfer program is to:

8 (1) Provide additional funding to meet state land trusts' needs;

9 (2) Increase the revenue production capability of the state land
10 trusts' land base; and

11 (3) Protect, by transferring to appropriate public agencies,
12 certain state lands that are difficult to manage for revenue production
13 and that have significant natural values, such as flora, fauna,
14 scenery, waters, geology, and other natural resources that make them
15 suitable for uses such as parks and recreation, conservation,
16 preservation, fish and wildlife habitat, and/or open space.

17 NEW SECTION. **Sec. 2.** (1) The board of natural resources shall
18 develop a process through an administrative policy for the department

1 of natural resources to identify, evaluate, and prioritize state lands,
2 as that term is defined under RCW 79.01.004, with potential to be
3 transferred under this chapter. The board shall periodically review
4 and, if appropriate, revise this process. As part of the process, the
5 department of natural resources shall consider for transfer state trust
6 lands that are difficult to manage for revenue production and that have
7 significant natural values, such as flora, fauna, scenery, waters,
8 geology, and other natural resources that make them suitable for uses
9 such as parks and recreation, conservation, preservation, fish and
10 wildlife habitat, open space, or any combination of these uses.

11 (2) The department of natural resources shall identify the reasons
12 each property was selected for transfer, the trust benefits that would
13 accrue from the transfer, the public agency proposed to receive each
14 property, and the proposed use or uses of each property.

15 (3) The department of natural resources shall hold public meetings
16 to obtain public comment on the proposed trust land transfer list prior
17 to submitting the list to the board of natural resources for approval.
18 The public meetings shall not be required for the list of properties
19 submitted to the legislature for funding as part of the 1997-99 budget
20 request.

21 (4) The department of natural resources shall submit a prioritized
22 trust land transfer list to the board of natural resources for its
23 approval. The board shall determine if such transfers are in the best
24 interests of each affected trust. The department of natural resources
25 shall submit the board-approved prioritized list as part of the
26 department's capital budget request.

27 NEW SECTION. **Sec. 3.** The department of natural resources is
28 authorized to exchange state trust lands with other state trust lands
29 deemed suitable for transfer under this chapter according to the
30 process set forth under RCW 79.08.015, provided the exchange is deemed
31 to be in the best interest of each affected trust.

32 NEW SECTION. **Sec. 4.** Prior to transfer under this chapter, each
33 property shall be appraised to determine the market value and the
34 allocation of value for the land and the timber.

35 (1) The value of the timber shall be deposited in either the
36 current or permanent account of the affected trust, from which property
37 is transferred, as directed by state law governing the disposition of

1 timber sales income. No deduction shall be made for the resource
2 management cost account under RCW 79.64.040.

3 (2) The value of the land shall be deposited into the park land
4 trust revolving fund authorized under RCW 43.30.115 and no deduction
5 shall be made for the resource management cost account under RCW
6 79.64.040. These funds shall be used by the department of natural
7 resources to buy replacement real property for the affected state
8 lands' trust.

9 (3) All reasonable costs incurred by the department of natural
10 resources to implement this chapter, including all costs of
11 transferring property and acquiring replacement real property, are
12 authorized to be paid from appropriations implementing this chapter.
13 Those reasonable costs to be incurred in acquiring the replacement real
14 property are authorized to be reserved by the department of natural
15 resources in the park land trust revolving fund authorized under RCW
16 43.30.115.

17 NEW SECTION. **Sec. 5.** The department of natural resources is
18 authorized to transfer those properties on the trust land transfer list
19 that have been approved by the board of natural resources and funded by
20 the legislature, to appropriate public agencies, as that term is
21 defined under RCW 79.01.009, including any internal transfers to and
22 within the department of natural resources, providing the receiving
23 agency is willing to accept and manage the property for the uses
24 identified under section 2(2) of this act.

25 NEW SECTION. **Sec. 6.** All prior transfers completed by the
26 department of natural resources as authorized by the legislature under
27 section 316, chapter 19, Laws of 1989 1st ex. sess., section 311(1),
28 chapter 16, Laws of 1990 1st ex. sess., section 26, chapter 14, Laws of
29 1991 sp. sess., as amended by section 21, chapter 233, Laws of 1992;
30 and section 459, chapter 22, Laws of 1993 1st sp. sess., are ratified.

31 NEW SECTION. **Sec. 7.** If any provision of this act or its
32 application to any person or circumstance is held invalid, the
33 remainder of the act or the application of the provision to other
34 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 8.** Sections 1 through 6 of this act constitute
2 a new chapter in Title 79 RCW.

--- **END** ---