
SUBSTITUTE SENATE BILL 6149

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Natural Resources, Parks & Recreation
(originally sponsored by Senators Jacobsen, T. Sheldon and Rasmussen;
by request of Commissioner of Public Lands)

Read first time 01/24/2000.

1 AN ACT Relating to the sale of specific lands for the purposes of
2 resolving trespass on state forest lands; amending RCW 76.12.120 and
3 43.30.115; and adding a new section to chapter 76.12 RCW.

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

5 **Sec. 1.** RCW 76.12.120 and 1998 c 71 s 2 are each amended to read
6 as follows:

7 Except as provided in section 2 of this act, all land, acquired or
8 designated by the department as state forest land, shall be forever
9 reserved from sale, but the timber and other products thereon may be
10 sold or the land may be leased in the same manner and for the same
11 purposes as is authorized for state granted land if the department
12 finds such sale or lease to be in the best interests of the state and
13 approves the terms and conditions thereof.

14 Except as provided in RCW 79.12.035, all money derived from the
15 sale of timber or other products, or from lease, or from any other
16 source from the land, except where the Constitution of this state or
17 RCW 76.12.030 requires other disposition, shall be disposed of as
18 follows:

1 (1) Fifty percent shall be placed in the forest development
2 account.

3 (2) Fifty percent shall be prorated and distributed to the state
4 general fund, to be dedicated for the benefit of the public schools,
5 and the county in which the land is located according to the relative
6 proportions of tax levies of all taxing districts in the county. The
7 portion to be distributed to the state general fund shall be based on
8 the regular school levy rate under RCW 84.52.065 as now or hereafter
9 amended and the levy rate for any maintenance and operation special
10 school levies. With regard to the portion to be distributed to the
11 counties, the department shall certify to the state treasurer the
12 amounts to be distributed within seven working days of receipt of the
13 money. The state treasurer shall distribute funds to the counties four
14 times per month, with no more than ten days between each payment date.
15 The money distributed to the county shall be paid, distributed, and
16 prorated to the various other funds in the same manner as general taxes
17 are paid and distributed during the year of payment.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 76.12 RCW
19 to read as follows:

20 (1) With the approval of the board of natural resources, the
21 department may directly transfer or dispose of up to five contiguous
22 acres of land acquired under this chapter without public auction, in
23 the following circumstances:

- 24 (a) Transfers in lieu of condemnation; and
- 25 (b) Transfers to resolve trespass and property ownership disputes.

26 (2) Real property to be transferred or disposed of under this
27 section shall be transferred or disposed of only after appraisal and
28 for at least fair market value, and only if such transaction is in the
29 best interest of the state or affected trust. The department is
30 responsible for the cost of the appraisal. The cost of the appraisal
31 shall be added to the price of the land.

32 (3) The proceeds from real property transferred or disposed of
33 under this section shall be deposited into the park land trust
34 revolving fund and be solely used to buy replacement land within the
35 same county as the property transferred or disposed.

36 **Sec. 3.** RCW 43.30.115 and 1995 c 211 s 5 are each amended to read
37 as follows:

1 The park land trust revolving fund is to be utilized by the
2 department of natural resources for the exclusive purpose of acquiring
3 real property, including all reasonable costs associated with these
4 acquisitions, as a replacement for the property transferred to the
5 state parks and recreation commission ~~((or))~~, as directed by the
6 legislature in order to maintain the land base of the affected trusts
7 or under section 2 of this act. Proceeds from transfers of real
8 property to the state parks and recreation commission or other proceeds
9 identified from transfers of real property as directed by the
10 legislature shall be deposited in this fund. Disbursement from the
11 park land trust revolving fund to acquire replacement property shall be
12 on the authorization of the department of natural resources. In order
13 to maintain an effective expenditure and revenue control, the park land
14 trust revolving fund is subject in all respects to chapter 43.88 RCW,
15 but no appropriation is required to permit expenditures and payment of
16 obligations from the fund.

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