
SENATE BILL 6147

State of Washington

58th Legislature

2004 Regular Session

By Senator Jacobsen

Read first time 01/13/2004. Referred to Committee on Higher Education.

1 AN ACT Relating to transferring federally granted higher education
2 trust lands to other public uses; amending RCW 79.64.110 and
3 28B.14H.110; adding a new section to chapter 79.02 RCW; adding a new
4 section to chapter 79.22 RCW; creating a new section; and making an
5 appropriation.

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

7 NEW SECTION. **Sec. 1.** (1) By June 30, 2005, the department of
8 natural resources shall transfer from trust status: (a) Certain
9 agricultural college trust lands and scientific school trust lands, as
10 determined on June 30, 2004, by Washington State University, with a
11 value of not less than sixty percent of the appropriation in section 5
12 of this act; (b) certain university trust lands, as determined on June
13 30, 2004, by the University of Washington, with a value of not less
14 than twenty percent of the appropriation in section 5 of this act; and
15 (c) certain normal school trust lands, as determined on June 30, 2004,
16 by Eastern Washington University, Central Washington University,
17 Western Washington University, and The Evergreen State College, with a
18 value of not less than twenty percent of the appropriation in section

1 5 of this act. Lands transferred from trust status are to be managed
2 as public land by the department pursuant to section 3 of this act.

3 (2) Lands and resources transferred under this section shall be
4 appraised and transferred at fair market value. The value of the land
5 and resources transferred shall be deposited by the department of
6 natural resources to the appropriate permanent fund in the same manner
7 as revenues from other trust lands. No deduction shall be made for the
8 resource management cost account under RCW 79.64.040.

9 (3) All reasonable costs incurred by the department of natural
10 resources to implement this section may be paid out of the
11 appropriation in section 5 of this act. Authorized costs include the
12 actual cost of appraisals, staff time, environmental reviews, surveys,
13 and other similar costs.

14 (4) Prior to or concurrent with conveyance of these properties, the
15 department of natural resources shall execute and record a real
16 property instrument that dedicates the transferred properties to the
17 purposes identified in section 3 of this act.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 79.02 RCW
19 to read as follows:

20 Any normal school lands, agricultural college lands, scientific
21 school lands or university lands that are transferred from trust
22 status, and for which the trust is fully compensated for the fair
23 market value of the lands, shall be managed as other state lands
24 pursuant to section 3 of this act.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 79.22 RCW
26 to read as follows:

27 (1) Land purchased, transferred, or otherwise acquired by gift or
28 exchange under section 2 of this act shall be managed in perpetuity and
29 in the same manner as state lands for sustainable commercial forestry
30 and multiple use of lands consistent with RCW 79.10.120.

31 (2) The land is reserved from sale, except that the timber and
32 other products on the land may be sold, or the land may be leased in
33 the same manner and for the same purposes as authorized for state
34 granted lands if the department finds the sale or lease to be in the
35 best interest of the state and approves the terms and conditions of the
36 sale or lease.

1 (3) The land exchange and acquisition powers provided in RCW
2 79.17.020 may be used by the department to reposition land.

3 **Sec. 4.** RCW 79.64.110 and 2003 c 334 s 207 are each amended to
4 read as follows:

5 Any moneys derived from the lease of state forest lands or from the
6 sale of valuable materials, oils, gases, coal, minerals, or fossils
7 from those lands, must be distributed as follows:

8 (1) State forest lands acquired through RCW 79.22.040 or by
9 exchange for lands acquired through RCW 79.22.040:

10 (a) The expense incurred by the state for administration,
11 reforestation, and protection, not to exceed twenty-five percent, which
12 rate of percentage shall be determined by the board, must be returned
13 to the forest development account in the state general fund.

14 (b) Any balance remaining must be paid to the county in which the
15 land is located to be paid, distributed, and prorated, except as
16 otherwise provided in this section, to the various funds in the same
17 manner as general taxes are paid and distributed during the year of
18 payment.

19 (c) Any balance remaining, paid to a county with a population of
20 less than sixteen thousand, must first be applied to the reduction of
21 any indebtedness existing in the current expense fund of the county
22 during the year of payment.

23 (d) With regard to moneys remaining under this subsection (1),
24 within seven working days of receipt of these moneys, the department
25 shall certify to the state treasurer the amounts to be distributed to
26 the counties. The state treasurer shall distribute funds to the
27 counties four times per month, with no more than ten days between each
28 payment date.

29 (2) State forest lands acquired through RCW 79.22.010 or by
30 exchange for lands acquired through RCW 79.22.010, except as provided
31 in RCW 79.64.120:

32 (a) Fifty percent shall be placed in the forest development
33 account.

34 (b) Fifty percent shall be prorated and distributed to the state
35 general fund, to be dedicated for the benefit of the public schools,
36 and the county in which the land is located according to the relative
37 proportions of tax levies of all taxing districts in the county. The

1 portion to be distributed to the state general fund shall be based on
2 the regular school levy rate under RCW 84.52.065 and the levy rate for
3 any maintenance and operation special school levies. With regard to
4 the portion to be distributed to the counties, the department shall
5 certify to the state treasurer the amounts to be distributed within
6 seven working days of receipt of the money. The state treasurer shall
7 distribute funds to the counties four times per month, with no more
8 than ten days between each payment date. The money distributed to the
9 county must be paid, distributed, and prorated to the various other
10 funds in the same manner as general taxes are paid and distributed
11 during the year of payment.

12 (3) State forest lands acquired through section 3 of this act:

13 (a) Twenty-five percent shall be placed in the forest development
14 account; and

15 (b) Seventy-five percent shall be distributed to the state general
16 fund.

17 NEW SECTION. **Sec. 5.** The sum of one hundred million dollars, or
18 as much thereof as may be necessary, is appropriated from the
19 Gardner-Evans higher education construction account to the department
20 of natural resources for the fiscal year ending June 30, 2005, solely
21 for the purposes of section 1 of this act.

22 **Sec. 6.** RCW 28B.14H.110 and 2003 1st sp.s. c 18 s 13 are each
23 amended to read as follows:

24 The Gardner-Evans higher education construction account is created
25 in the state treasury. Proceeds from the bonds issued under RCW
26 28B.14H.020 shall be deposited in the account. The account shall be
27 used for purposes of RCW 28B.14H.020 and transferring from trust status
28 certain trust lands granted to the state for the benefit of
29 institutions of higher education. Moneys in the account may be spent
30 only after appropriation.

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