
SENATE BILL 5201

State of Washington

67th Legislature

2021 Regular Session

By Senators Van De Wege and Das; by request of Department of Natural Resources

Read first time 01/13/21. Referred to Committee on Agriculture, Water, Natural Resources & Parks.

1 AN ACT Related to department of natural resources' timber and
2 land sales; amending RCW 79.15.070, 79.15.080, and 79.15.150; and
3 reenacting and amending RCW 79.11.130.

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

5 **Sec. 1.** RCW 79.11.130 and 2003 c 381 s 4 and 2003 c 334 s 346
6 are each reenacted and amended to read as follows:

7 (1) The department shall give notice of the sale by advertisement
8 published not fewer than two times during a four-week period prior to
9 the time of sale in at least one newspaper of general circulation in
10 the county in which the whole, or any part of any lot, block, or
11 tract of land to be sold is situated, and by posting a copy of the
12 notice in a conspicuous place in the department's Olympia office, the
13 region headquarters administering such sale, and in the office of the
14 county auditor of such county. The notice shall specify the place,
15 date, and time of sale, the appraised value of the land, describe
16 with particularity each parcel of land to be sold, and specify that
17 the terms of sale will be available in the region headquarters and
18 the department's Olympia office.

19 (2) The advertisement is for informational purposes only, and
20 under no circumstances does the information in the notice of sale
21 constitute a warranty that the purchaser will receive the stated

1 values, volumes, or acreage. All purchasers are expected to make
2 their own measurements, evaluations, and appraisals.

3 (3) The department shall print a list of all public lands and the
4 appraised value thereof, that are to be sold. This list should be
5 (~~published in a pamphlet form to be issued~~) made available at least
6 four weeks prior to the date of any sale of the lands. The list
7 should be organized by county and by alphabetical order, and provide
8 sale information to prospective buyers. The department shall retain
9 for free distribution in the (~~Olympia office and the~~) region
10 offices sufficient copies of the (~~pamphlet~~) list, to be kept in a
11 conspicuous place, and, when requested so to do, shall mail copies of
12 the (~~pamphlet~~) list as issued to any requesting applicant. The
13 department may seek additional means of publishing the information in
14 the (~~pamphlet~~) list, such as on the internet, to increase the
15 number of prospective buyers.

16 (~~(4) The sale of valuable materials appraised at an amount not~~
17 ~~exceeding two hundred fifty thousand dollars, as described in RCW~~
18 ~~79.01.200 and as authorized by the board of natural resources, are~~
19 ~~exempt from the requirements of subsection (3) of this section.~~)

20 **Sec. 2.** RCW 79.15.070 and 2003 c 334 s 350 are each amended to
21 read as follows:

22 It is the duty of the department to fix the date, time, and place
23 of sale.

24 (1) All valuable materials shall have been appraised prior to the
25 date fixed for sale as prescribed in RCW 79.15.060.

26 (2) No sale may be conducted on any day that is a legal holiday.

27 (3) Sales must be held between the hours of 10:00 a.m. and 4:00
28 p.m. If all sales cannot be offered within this time period, the sale
29 must continue on the following day between the hours of 10:00 a.m.
30 and 4:00 p.m.

31 (4) Sales must take place(~~(÷~~

32 ~~(a) At~~) at the department's (~~regional office~~) region
33 headquarters having jurisdiction over the respective sale(~~(÷)~~) or

34 (~~(b) On county property designated by the board of county~~
35 ~~commissioners or county legislative authority of the county in which~~
36 ~~the whole or majority of valuable materials are situated~~) at an
37 alternate location designated by the department.

1 **Sec. 3.** RCW 79.15.080 and 2006 c 42 s 2 are each amended to read
2 as follows:

3 (1) Sales, other than direct sales, appraised at an amount not
4 exceeding two hundred fifty thousand dollars, when such sales have
5 been authorized by the board (~~((for sale))~~), shall be advertised by
6 publishing not less than ten days prior to sale a notice of such sale
7 in either a newspaper of general circulation (~~((located nearest to the~~
8 ~~property from which the valuable material is to be sold))~~), the
9 department's public website, or another method deemed most practical
10 by the department.

11 (2) Except as provided in RCW 79.15.050, all other proposed sales
12 of valuable materials must be advertised through individual notice of
13 sale and publication of a statewide list of sales.

14 (a) The notice of sale:

15 (i) Must specify the place, date, and time of sale, the appraised
16 value thereof, and describe with particularity each parcel of land
17 from which valuable materials are to be sold. The estimated volume
18 will be identified and the terms of sale will be available in the
19 region headquarters and the department's Olympia office;

20 (ii) May prescribe that the bid deposit required in RCW 79.15.110
21 be considered an opening bid;

22 (iii) May be advertised by newspaper or by other means of
23 publishing the information such as on the (~~((internet))~~) department's
24 public website; and

25 (iv) Must be posted in a conspicuous place in (~~((the department's~~
26 ~~Olympia office and in))~~) the region headquarters administering the
27 sale(~~((, and in the office of the county auditor of the county where~~
28 ~~the material is located))~~).

29 (b) The department shall (~~((print))~~) make available a list of all
30 valuable material on public lands that are to be sold. The list
31 should be organized by county and by alphabetical order.

32 (i) The list should be (~~((published in a pamphlet form, issued))~~)
33 made available at least four weeks prior to the date of any sale and
34 provide sale information to prospective buyers.

35 (ii) The department must retain for free distribution in (~~((the~~
36 ~~Olympia office and))~~) the region headquarters offices sufficient
37 copies of the (~~((pamphlet))~~) list, to be kept in a conspicuous place,
38 and(~~((, when requested to do so, must mail copies of the pamphlet as~~
39 ~~issued to any requesting applicant))~~) made available upon request.

1 (iii) The department may seek additional means of publishing the
2 information in the ((pamphlet)) list, such as on the ((internet))
3 department's public website and other means of communication, to
4 increase the number of prospective buyers.

5 (3) The department is authorized to expend any sum in additional
6 advertising of the sales as it deems necessary.

7 **Sec. 4.** RCW 79.15.150 and 2003 c 334 s 351 are each amended to
8 read as follows:

9 A sale of valuable materials that has been offered, and for which
10 there are no bids received, (~~shall not be reoffered until it has~~
11 ~~been readvertised as prescribed in RCW 79.11.130~~) may be reoffered
12 consistent with RCW 79.15.060 and 79.15.080(2)(a).

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