
HOUSE BILL 1199

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Taylor, Shea, and McCune

Read first time 01/14/11. Referred to Committee on Capital Budget.

1 AN ACT Relating to fostering economic development by encouraging
2 increased productivity on certain working lands through transfers in
3 ownership; amending RCW 79.11.010 and 79.11.090; adding a new section
4 to chapter 79.11 RCW; adding a new section to chapter 43.33A RCW; and
5 adding a new section to chapter 8.04 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 79.11 RCW
8 under the subchapter heading "part 1 sales procedures" to read as
9 follows:

10 (1) The department shall develop and the board shall implement a
11 plan to divest the state by December 31, 2021, of all state lands and
12 state forest lands that are not being actively used for forestry and
13 all lands under state title condemned under section 3 of this act.

14 (2) In implementing the divestiture plan required under this
15 section, the department shall ensure that the lands sold receive fair
16 market value from private sector purchasers under the provisions of
17 this chapter.

18 (3) Any trust beneficiary affected by the divestiture of state
19 lands or state forest lands under this section must be made whole by

1 the provisions of the divestiture plan. The final proceeds of land
2 sales conducted pursuant to the divestiture plan must be transmitted to
3 the state investment board created in chapter 43.33A RCW to be managed
4 in an investment trust for the affected beneficiaries.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.33A RCW
6 to read as follows:

7 The state investment board must work closely with the board of
8 natural resources to implement the state land divestiture plan required
9 under section 1 of this act and ensure that revenue produced from the
10 ensuing land sales are accounted for and managed according to the
11 fiduciary duty of the state with regard to the trust beneficiaries that
12 are affected by the sales.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 8.04 RCW
14 to read as follows:

15 (1) The attorney general is authorized and empowered to condemn
16 land owned by the federal government on the effective date of this
17 section that is forested or available for active forestry uses.

18 (2)(a) Land acquired by the state under this section must be made
19 available for sale to private landowners for active forestry uses under
20 section 1 of this act; and

21 (b) The acquisition and sale of land condemned under this section
22 are deemed to be for a state purpose and public use.

23 **Sec. 4.** RCW 79.11.010 and 2003 c 334 s 321 are each amended to
24 read as follows:

25 (1) Except as provided in section 1 of this act, not more than one
26 hundred and sixty acres of any land granted to the state by the United
27 States shall be offered for sale in one parcel and no university lands
28 shall be offered for sale except by legislative directive or with the
29 consent of the board of regents of the University of Washington.

30 (2) Any land granted to the state by the United States may be sold
31 for any lawful purpose in such minimum acreage as may be fixed by the
32 department or the legislature.

33 **Sec. 5.** RCW 79.11.090 and 2003 c 334 s 352 are each amended to
34 read as follows:

1 (1) Except as provided in RCW 79.11.340, all sales of land under
2 this chapter shall be at public auction, to the highest bidder, on the
3 terms prescribed by law and as specified in the notice provided under
4 RCW 79.11.120, and no land shall be sold for less than its appraised
5 value.

6 (2) In implementing the divestiture plan required in section 1 of
7 this act, the board shall ensure that land sales are awarded to the
8 highest private sector bidder.

--- END ---