
SENATE BILL 5376

State of Washington

62nd Legislature

2011 Regular Session

By Senators Morton, Swecker, Schoesler, Parlette, and Stevens

Read first time 01/21/11. Referred to Committee on Natural Resources & Marine Waters.

1 AN ACT Relating to disposal of lands by natural resource agencies;
2 amending RCW 79.64.030, 79A.05.215, and 77.12.170; and creating new
3 sections.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that state
6 agencies dispose of state-owned lands when these lands cannot be
7 advantageously used by the agency or when dispositions are beneficial
8 to the public's interest.

9 NEW SECTION. **Sec. 2.** (1) The department of natural resources
10 established in chapter 43.30 RCW, the department of fish and wildlife
11 established in chapter 43.300 RCW, and the parks and recreation
12 commission established in chapter 79A.05 RCW must identify and list
13 property that is no longer required for their departmental purposes.

14 (2) By November 1, 2012, the agencies listed in subsection (1) of
15 this section must sell the property identified that is no longer
16 required for departmental purposes.

17 (3) Unless otherwise provided, all moneys received pursuant to the

1 provisions of this section, less any real estate transaction fees, must
2 be deposited in the appropriate agency accounts to be used for
3 maintenance and operation of department lands.

4 **Sec. 3.** RCW 79.64.030 and 2003 c 334 s 521 are each amended to
5 read as follows:

6 (1) Funds in the resource management cost account from the moneys
7 received from leases, sales, contracts, licenses, permits, easements,
8 and rights-of-way issued by the department and affecting school lands,
9 university lands, scientific school lands, normal school lands, capitol
10 building lands, or institutional lands shall be pooled and expended by
11 the department solely for the purpose of defraying the costs and
12 expenses necessarily incurred in managing and administering all of the
13 trust lands enumerated in this section. Such funds may be used for
14 similar costs and expenses in managing and administering other lands
15 managed by the department provided that such expenditures that have
16 been or may be made on such other lands shall be repaid to the resource
17 management cost account together with interest at a rate determined by
18 the board.

19 (2) Moneys collected from the sale of land in section 2 of this act
20 must be dedicated to operations and maintenance of department lands.

21 (3) Costs and expenses necessarily incurred in managing and
22 administering agricultural college lands shall not be deducted from
23 proceeds received from the sale of such lands or from the sale of
24 resources that are part of the lands. Costs and expenses incurred in
25 managing and administering agricultural college trust lands shall be
26 funded by appropriation under RCW 79.64.090.

27 (4) An accounting shall be made annually of the accrued
28 expenditures from the pooled trust funds in the account. In the event
29 the accounting determines that expenditures have been made from moneys
30 received from trust lands for the benefit of other lands, such
31 expenditure shall be considered a debt and an encumbrance against the
32 property benefitted, including state forest lands. The results of the
33 accounting shall be reported to the legislature at the next regular
34 session. The state treasurer is authorized, upon request of the
35 department, to transfer funds between the forest development account
36 and the resource management cost account solely for purpose of repaying
37 loans pursuant to this section.

1 **Sec. 4.** RCW 79A.05.215 and 2010 c 161 s 1164 are each amended to
2 read as follows:

3 The state parks renewal and stewardship account is created in the
4 state treasury. Except as otherwise provided in this chapter, all
5 receipts from user fees, concessions, leases, donations collected under
6 RCW 46.16A.090(3), and other state park-based activities shall be
7 deposited into the account. Moneys collected from the sale of land in
8 section 2 of this act must be dedicated to operations and maintenance
9 of commission lands. Expenditures from the account may be used for
10 operating state parks, developing and renovating park facilities,
11 undertaking deferred maintenance, enhancing park stewardship, and other
12 state park purposes. Expenditures from the account may be made only
13 after appropriation by the legislature.

14 **Sec. 5.** RCW 77.12.170 and 2009 c 333 s 13 are each amended to read
15 as follows:

16 (1) There is established in the state treasury the state wildlife
17 account which consists of moneys received from:

18 (a) Rentals or concessions of the department;

19 (b) The sale of real or personal property held for department
20 purposes, unless the property is seized or recovered through a fish,
21 shellfish, or wildlife enforcement action. Moneys collected from the
22 sale of land in section 2 of this act must be dedicated to operations
23 and maintenance of department lands;

24 (c) The assessment of administrative penalties, and the sale of
25 licenses, permits, tags, and stamps required by chapter 77.32 RCW and
26 RCW 77.65.490, except annual resident adult saltwater and all annual
27 razor clam and shellfish licenses, which shall be deposited into the
28 state general fund;

29 (d) Fees for informational materials published by the department;

30 (e) Fees for personalized vehicle, Wild on Washington, and
31 Endangered Wildlife license plates and Washington's Wildlife license
32 plate collection as provided in chapter ((46.16)) 46.17 RCW;

33 (f) Articles or wildlife sold by the director under this title;

34 (g) Compensation for damage to department property or wildlife
35 losses or contributions, gifts, or grants received under RCW 77.12.320.
36 However, this excludes fish and shellfish overages, and court-ordered

1 restitution or donations associated with any fish, shellfish, or
2 wildlife enforcement action, as such moneys must be deposited pursuant
3 to RCW 77.15.425;

4 (h) Excise tax on anadromous game fish collected under chapter
5 82.27 RCW;

6 (i) The department's share of revenues from auctions and raffles
7 authorized by the commission; and

8 (j) The sale of watchable wildlife decals under RCW 77.32.560.

9 (2) State and county officers receiving any moneys listed in
10 subsection (1) of this section shall deposit them in the state treasury
11 to be credited to the state wildlife account.

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