
SUBSTITUTE SENATE BILL 5405

State of Washington

64th Legislature

2015 Regular Session

By Senate Natural Resources & Parks (originally sponsored by Senators Pearson, Dinsel, and Warnick)

READ FIRST TIME 02/12/15.

1 AN ACT Relating to creating a task force to examine land
2 ownership by the federal government in Washington; creating new
3 sections; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that there are
6 over twenty-two million acres of forest land in Washington, of which,
7 forty-three percent is owned by the federal government. This
8 represents nearly twenty-eight percent of all land in Washington; a
9 percentage that is not equitably distributed among the various
10 counties.

11 (2) The legislature further finds that federal land ownership
12 creates financial burdens for local governments that are unable to
13 assess a property tax on those parcels. Policies to substitute for
14 lost property tax revenue, such as the payments in lieu of taxes
15 program, have been underfunded over the years and require extra
16 expense and resources to ensure they are funded at all.

17 (3) The legislature further finds that federal land management in
18 Washington has not kept up with modern land management standards and
19 needs. From invasive species to catastrophic wildfires, the damage
20 that spreads to adjacent lands from federal lands is simply
21 unacceptable. The costs of lost property, habitat, water quality, air

1 quality, and economic activity is enormous both for local communities
2 and the state as a whole.

3 (4) The legislature further finds that the state of Washington,
4 as a landowner, has a proven track record of responsible management
5 of public land that enables multiple sustainable uses and benefits
6 while at the same time fully considering the input of local and
7 statewide stakeholders from industry, recreation, and conservation
8 interests.

9 (5) The legislature further finds that there have been legitimate
10 questions raised about the effect of the organic acts that conferred
11 statehood on many western territories, including Washington, and
12 obligations of the federal government to return certain land to the
13 states.

14 (6) The legislature further finds that studying the risks and
15 benefits of transferring federal lands to an alternative ownership is
16 appropriate given the continual degradation of federal lands and
17 timely given the current ongoing efforts along similar lines in many
18 other western states.

19 NEW SECTION. **Sec. 2.** (1) A legislative task force on the
20 transfer of federal lands is established to study the risks, options,
21 and benefits of transferring federal lands in Washington to an
22 alternative ownership.

23 (2) The task force members are as provided in this subsection:

24 (a) The speaker of the house of representatives shall appoint one
25 member from each of the two largest caucuses of the house of
26 representatives.

27 (b) The president of the senate shall appoint one member from
28 each of the two largest caucuses of the senate.

29 (c) The speaker of the house of representatives and the president
30 of the senate shall jointly appoint one member representing each of
31 the following:

32 (i) A county with significant federal land ownership located east
33 of the crest of the Cascade mountains;

34 (ii) A county with significant federal land ownership located
35 west of the crest of the Cascade mountains;

36 (iii) Conservation interests;

37 (iv) Ranching or agricultural interests;

38 (v) Forest landowner interests; and

39 (vi) Recreational interests.

1 (d) The speaker of the house of representatives and the president
2 of the senate shall jointly invite tribal participation on the task
3 force. Tribal participation may take the form of full membership on
4 the task force or any other lesser level of participation requested
5 by the tribal invitees.

6 (e) The governor shall appoint three members, one representing
7 the office of the governor, one representing the department of fish
8 and wildlife, and one representing the state parks and recreation
9 commission.

10 (f) The commissioner of public lands shall appoint one member
11 representing the department of natural resources.

12 (g) The attorney general shall appoint one member representing
13 the office of the attorney general.

14 (3) The task force shall choose its chair or cochairs from among
15 its legislative membership. However, the representative from the
16 office of the governor shall convene the initial meeting of the task
17 force and oversee the selection of a chair or cochairs.

18 (4)(a) The task force shall:

19 (i) Review and document facts related to the management of
20 federal land in Washington;

21 (ii) Compare environmental outcomes of federal land management
22 with state land management;

23 (iii) Review the potential risks and benefits of pursuing a
24 transfer of federal forest service lands to various alternative
25 ownerships, such as the state, its counties, Indian tribes, not-for-
26 profit land management organizations, or a combination of options;

27 (iv) Make recommendations as to whether Washington should
28 continue to investigate options and pursue a transfer of federal land
29 ownership in the state; and

30 (v) Identify issues and provide recommendations for improving the
31 responsiveness of federal land management to the needs and interests
32 of the citizens of Washington with respect to access, use,
33 conservation, recreation, road and land maintenance, productivity,
34 and fiscal stability and predictability associated with federal
35 lands. These specific issues and recommendations must also be shared
36 with congress.

37 (b) The task force may not consider or include in its
38 recommendations any option that would result in:

39 (i) A transfer of any state or federal public lands into private
40 ownership status; or

1 (ii) A transfer of wilderness areas, national parks, or military
2 installations out of federal ownership.

3 (c) The task force may use the metrics it decides best to
4 accomplish the mandate of this subsection. However, the task force
5 should, to the degree possible, rely on analyses and processes
6 completed by other states and consider whether or not coordinating
7 with other states would provide a strategic advantage for Washington
8 as the option of federal ownership divestiture is explored on a
9 national level.

10 (5) Staff support for the task force shall be provided by the
11 house office of program research and senate committee services, with
12 assistance, as requested by the task force members, from the staff of
13 the governor's office and the state agencies serving on the task
14 force.

15 (6) Legislative members of the task force must be reimbursed for
16 travel expenses in accordance with RCW 44.04.120. Nonlegislative
17 members, except those representing an employer or organization, are
18 entitled to be reimbursed for travel expenses in accordance with RCW
19 43.03.050 and 43.03.060.

20 (7) The expenses of the task force shall be paid jointly by the
21 house of representatives and the senate. Task force expenditures are
22 subject to approval by the house executive rules committee and the
23 senate facilities and operations committee, or their successor
24 committees.

25 (8) The task force shall report its findings and recommendations,
26 if any, to the governor, and the appropriate committees of the
27 legislature in the form of draft legislation or a formal budget
28 request, by October 31, 2016.

29 (9) This section expires July 1, 2017.

--- END ---