

CHAPTER 129.

[S. B. 366.]

SALE OF STATE SCHOOL LANDS.

AN ACT relating to the sale of state lands to school district No. 58 of Clallam county, Washington.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Upon application to purchase made in proper form according to state law by school district No. 58 of Clallam county, Washington, the Commissioner of Public Lands is hereby authorized to sell, in the manner provided by law, lot 4 of section 16, township 32 north, range 15 west, W. M., containing 13.60 acres, without regard to the limitation because of the timber stand thereon as provided in section 31, chapter 255 of the Laws of 1927 (section 7797-31 of Remington's Revised Statutes).

Passed the Senate March 3, 1939.

Passed the House March 9, 1939.

Approved by the Governor March 15, 1939.

CHAPTER 130.

[S. B. 456.]

SUSTAINED YIELD UNITS.

AN ACT relating to the cooperative management of state forest board lands and state granted lands with national forest and private timber lands in a sustained yield management unit.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The State Forest Board with regard to State Forest Board lands, and the Commissioner of Public Lands with regard to state granted lands, are hereby authorized to enter into cooperative

State
forest and
state granted
lands.

Cooperative agreements.

agreements with the United States of America and private owners of timber land providing for co-ordinated forest management, including time, rate and method of cutting timber and method of silvicultural practice on a sustained yield unit. Wherever applicable in this act, it shall be understood that the State Forest Board shall have complete authority over State Forest Board lands and the Commissioner of Public Lands complete authority over state granted land.

Authority.

Establishment of sustained yield unit.

SEC. 2. The State Forest Board and the Commissioner of Public Lands are hereby authorized and directed to determine, define and declare informally the establishment of a sustained yield unit, comprising the land area to be covered by any such cooperative agreement and include therein such other lands as may be later acquired by the State Forest Board and included under the cooperative agreement.

Limitation of productions.

SEC. 3. The state shall agree that the cutting from combined national forest and state lands will be limited to the sustained yield capacity of these lands in the management unit as determined by the contracting parties and approved by the State Forest Board and the Commissioner of Public Lands. Cooperation with the private contracting party or parties shall be contingent on limitation of production to a specified amount as determined by the contracting parties and approved by the State Forest Board and the Commissioner of Public Lands and shall comply with the other conditions and requirements of such cooperative agreement.

Sale agreements.

SEC. 4. During the period when any such cooperative agreement is in effect, the timber on the state lands which the State Forest Board and the Commissioner of Public Lands determine shall be included in the sustained yield unit may, from time to time, be sold at not less than its appraised value as approved by the State Forest Board and the Commissioner of

Public Lands, due consideration being given to existing forest conditions on all lands included in the cooperative management unit and such sales may be made in the discretion of the State Forest Board and the Commissioner of Public Lands and the contracting party or parties in the cooperative sustained yield agreement. These sale agreements shall contain such provisions as are necessary to effectually permit the State Forest Board and the Commissioner of Public Lands to carry out the purpose of this section and in other ways afford adequate protection to the public interests involved.

SEC. 5. The sale of timber upon state forest board land and state granted land within such sustained yield unit or units shall be made for not less than the appraised value thereof as heretofore provided for the sale of timber on state lands: *Provided*, That, if in the judgment of the State Forest Board or the Commissioner of Public Lands, it is to the best interests of the state to do so, said timber or any such sustained yield unit or units may be sold on a stumpage or scale basis for a price per thousand (M) not less than the appraised value thereof. The State Forest Board and the Commissioner of Public Lands shall reserve the right to reject any and all bids if the intent of this act will not be carried out. Permanency of local communities and industries, prospects of fulfillment of contract requirements, and financial position of the bidder shall all be factors included in this decision.

Selling price.

SEC. 6. A written contract shall be entered into with the successful bidder which shall fix the time when logging operations shall be commenced and concluded and require monthly payments for timber removed as soon as scale sheets have been tabulated and the amount of timber removed during the month determined, or require payments monthly in advance at the discretion of the Board or the Commis-

Contract with successful bidder.

sioner. The Board and the Commissioner shall designate the price per thousand (M) to be paid for each species of timber and shall provide for supervision of logging operations, the methods of scaling and report, and shall require the purchaser to comply with all laws of the State of Washington with respect to fire protection and logging operation of the timber purchased; and shall contain such other provisions as may be deemed advisable.

Cash
deposits.

SEC. 7. The purchaser shall, at the time of executing the contract, be required to make a cash deposit equal to twenty per cent (20%) of the estimated value of the timber purchased, computed at the stumpage bid. Upon failure of the purchaser to comply with the terms of the contract, the deposit may be forfeited to the state upon order of the Forest Board or the Commissioner of Public Lands.

At no time shall the amount due the state for timber actually cut and removed exceed the amount of the deposit as hereinabove set forth. The amount of the deposit shall be returned to the purchaser upon completion and full compliance with the contract by the purchaser, or it may, at the discretion of the purchaser, be applied on final payment on the contract.

Passed the Senate March 3, 1939.

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Approved by the Governor March 15, 1939.