

CHAPTER 175.

[H. B. 340.]

SALE OF STATE TIMBER.

AN ACT relating to state lands, providing for the sale of timber thereon, repealing all acts and parts of acts in conflict therewith.

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

"Sustained
yield plan."

SECTION 1. The area of state lands embraced within townships 24, 25, 26, 27 and 28 north, ranges, 10, 11, 12, 13, and 14 W. W. M., except isolated tracts not contiguous to other tracts therein, are hereby set aside and established as "state sustained yield forest No. 1." All of said lands are hereby reserved from sale and the timber thereon shall be sold under the "sustained yield plan," which, for the purposes of this act, is defined to mean a plan by which the yield or cut of timber is managed in such way as to permit so far as economically possible, the removal of approximately equal volume of timber annually or periodically equal to the increment. The timber of said forest shall be administered and sold in the same manner as the timber on common school lands of the state, except as otherwise provided herein.

Logging
circles.

SEC. 2. Whenever practicable after the taking effect of this act, and sufficient appropriations have been made to carry out its purposes in detail, a complete topographical survey shall be made of said forest and the same shall be divided into logging circles or units (each of which shall be given a descriptive name) with the object in view that said forest shall be managed under the sustained yield plan and that as the timber on each logging circle or unit is sold and removed the growth of new forests on the cut-over units will insure a continuous

reforestation and permanent supply of timber in the forest area. Permanent maps shall be prepared and kept on file showing the location and boundaries of the several circles or units, which maps shall at all times be available for public inspection.

SEC. 3. The timber shall be sold only by logging circles or units; and before the timber of any unit is offered for sale, a cruise shall be made thereof, and the amount of timber estimated. Sales shall be made only on the stumpage basis, and after the stumpage value has been determined. No sale shall be made for less than the stumpage value so determined. Bids at the sale shall be sealed and the award shall be made to the highest bidder having financial ability to conduct the necessary logging operations and make the payments required. Any or all bids may be rejected. No sale shall be made except pursuant to a call for bids upon such notice as is required by law and by notice published once a week for eight consecutive weeks in at least two newspapers of general circulation in the state. The call for bids shall state the time, the place, which may be at the state capitol, and manner of sale, the particular circle or unit on which the timber is located, the estimated amount and minimum stumpage and such other information as may be desirable.

Sale of
timber:

SEC. 4. A written contract shall be entered into with the successful bidder which shall fix the time when logging operations shall be commenced and concluded; shall require monthly payments for timber removed as soon as scale sheets have been tabulated and the amount of timber removed during the month determined; shall designate the price per thousand to be paid for each species of timber; and shall provide for adjustment of stumpage prices at

Contract for.

intervals of not to exceed three years; shall provide for supervision of logging operations, and methods of scaling and reporting; 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 deposit.

SEC. 5. The purchaser shall, at the time of executing the contract, be required to make a cash deposit equal to ten per cent of the estimated value of the timber on the circle or unit purchased computed at the stumpage bid. Upon failure of the purchaser to comply with the terms of the contract, the deposit shall be forfeited to the state. At any time any amounts due the state to the extent of the deposit may be taken therefrom and applied as payments on the amount due. 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, in the discretion of the purchaser, be applied on final payment due on the contract.

Expenses of administration.

SEC. 6. The expense of administering said forest and selling the timber thereon, including the expense of examination and cruising, advertising sales, marking, scaling, protection of timber and general supervision and administration, shall be paid out of the gross proceeds of the timber sales. Books of account and records shall be kept showing such expense, and as proceeds from the sale of timber are received, the amount of such expense shall first be deducted from said proceeds and paid into the funds of the state from which appropriations have been made to cover such expenses, and the balance shall be paid into the state treasury to the credit of the fund entitled to the proceeds from the sale of the timber.

SEC. 7. All acts and parts of acts in conflict herewith are hereby repealed. Conflicting laws.

Passed the House March 2, 1933.

Passed the Senate March 8, 1933.

Approved by the Governor March 20, 1933.

CHAPTER 176.

[H. B. 350.]

STATE BOARD FOR VOCATIONAL EDUCATION.

AN ACT providing for the acceptance of the benefits of an Act of Congress making provision for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, designating the State Board for Vocational Education as the Board to co-operate with the Federal Board for Vocational Education in carrying out the provisions of said Act of Congress, and defining duties and powers of said Board and making an appropriation and declaring an emergency.

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

SECTION 1. That in order to provide for the vocational rehabilitation of physically disabled persons, there is hereby established, under the direction and control of the state board for vocational education, a division for the vocational rehabilitation and placement in remunerative employment of persons whose capacity to earn a living is or has been destroyed or impaired. Vocational rehabilitation.

SEC. 2. That for the purposes of this act the term "physically disabled person" means any person who, by reason of a physical defect or infirmity, whether congenital or acquired by accident, injury or disease, is, or may be expected to be, totally or partially incapacitated for remunerative occupation; the term "vocational rehabilitation" means the ren- "Physically disabled person." "Vocational rehabilitation."