

## CHAPTER 78.

[Reengrossed Senate Bill No. 472.]

## LEASING AND SALE OF STATE LANDS.

AN ACT relating to the leasing and sale of state lands; amending section 23, chapter 255, Laws of 1927, as last amended by section 4, chapter 257, Laws of 1959, and RCW 79.01.092; amending section 25, chapter 255, Laws of 1927, as amended by section 6, chapter 257, Laws of 1959, and RCW 79.01.100; and amending section 24, chapter 255, Laws of 1927, as last amended by section 5, chapter 257, Laws of 1959 and RCW 79.01.096; and adding a new section to chapter 255, Laws of 1927 and to chapter 79.01 RCW.

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

Section 1. Section 24, chapter 255, Laws of 1927, as last amended by section 5, chapter 257, Laws of 1959 and RCW 79.01.096 are each amended to read as follows:

RCW 79.01.096  
amended.

Not more than one hundred and sixty acres of any land granted to the state by the United States shall be offered for sale in one parcel and no university lands shall be offered for sale except by legislative directive or with the consent of the board of regents of the University of Washington.

Public lands  
—Leasing and  
sale—Limita-  
tions.

Any land granted to the state by the United States may be sold or leased for any lawful purpose in such minimum areas as may be fixed by the commissioner of public lands, except that upon the application of a school district for the purchase of a schoolhouse site or sites on any school land, not less than three nor more than ten acres may be offered for sale, and in all cases where a schoolhouse is or may be erected upon any school land the school district to which the schoolhouse belongs shall have the preference right for six months after the filing of the final appraisal of such school land to purchase the schoolhouse sites, to include the land occupied

by the schoolhouse and grounds, at the appraised value thereof.

Land granted to the state shall not be leased for a longer period than ten years: *Provided*, That such lands may be leased for the purpose of prospecting for, developing and producing oil, gas and other hydrocarbon substances or for the mining of coal subject to the provisions of chapter 79.14 RCW and RCW 79.01.692: *Provided further*, That such lands may be leased for public school purposes for any period not exceeding twenty years with an option for a new lease covering such lands for an additional period not exceeding twenty years, the terms and conditions of said new lease to be fixed by the department of natural resources: *Provided further*, That such lands may be leased for commercial, residential, business or recreational purposes for any period not exceeding fifty-five years: *And, provided further*, That, as to lands under lease on the date of the passage of this act for commercial, residential, business or recreational purposes for a period of not to exceed twenty years, the lessee shall have an option for a new lease for such lands for an additional period not exceeding thirty-five years, the terms and conditions of said new lease to be fixed by the department: *And, provided further*, That if, during the term of the lease of any state lands for commercial, residential, business or recreational purposes, in the opinion of the department it is in the best interests of the state so to do, the department may, on the application of the lessee, alter and amend the terms and conditions of such lease as to the types and conditions of commercial, residential, business or recreational enterprises conducted on such leased premises and the rent to be paid.

Sec. 2. The board of regents of Washington State University is authorized to sell all or any part of the south half of section 34, township 15 north, range 45,

E.W.M., Whitman County, Washington to the City of Pullman for at least the appraised value thereof as determined by two competent, disinterested appraisers, and to use the proceeds to acquire other real estate.

Sec. 3. Section 23, chapter 255, Laws of 1927 as last amended by section 4, chapter 257, Laws of 1959 and RCW 79.01.092 are each amended to read as follows:

RCW 79.01.092  
amended.

When in the judgment of the department of natural resources, a sufficient number of applications for the appraisal and sale, or the lease, for any lawful purpose, excepting mining of valuable minerals or coal, or extraction of petroleum or gas, of state lands, have been received, the department shall cause each tract of land so applied for to be inspected by one or more state land inspectors as to its character, topography, agricultural and grazing qualities, timber, coal, mineral, stone, gravel or other valuable material, the distance from any city or town, railroad, river, irrigation canal, ditch or other waterway, and a full report thereof to be made to the department, together with the inspector's judgment as to the present and prospective value, or rental value, as the case may be. In case of an application to purchase land granted to the state for educational purposes, the department shall submit said report together with all other information in the records of the office of the department of natural resources concerning the land applied for, to the board of natural resources, which board shall fix the value per acre of each lot, block, subdivision or tract proposed to be sold in one parcel, which value shall be not less than ten dollars per acre. In case of applications to purchase state lands, other than lands granted to the state for educational purposes and capitol building lands, the department shall appraise and fix the value thereof. In case of appli-

Sale of public  
lands—inspec-  
tion and  
appraisal—  
Criteria.

Sale of public lands—inspection and appraisal—Criteria.

cations for the lease of state lands, for any lawful purposes other than that of mining for valuable minerals or coal, or extraction of petroleum or gas, the department shall fix the rental value thereof, and shall fix the limit of the value of the improvements that may be placed upon said land by any lessee of the state, and may, in case the land is leased, at any time during the life of the lease, extend the limit of value of the improvements that may be placed upon the land covered by the lease, if he deems it advisable and for the best interest of the state, by written order which shall be filed with the lease in the department of natural resources, and a copy mailed to the lessee at his last known post office address, and upon the expiration of such lease the department, shall not appraise said improvements in an amount exceeding the limit so fixed by the department: *Provided*, That the board of natural resources, in considering the management of individual tracts of state lands, shall include in their consideration of the financial benefits that may accrue to the particular beneficiary of such trust land any increased financial benefits that the beneficiary may receive from direct and indirect state and local taxes, including improvement in values resulting from private development and the local taxation benefits therefrom, if the property were to be sold into private ownership.

RCW 79.01.100 amended.

Sec. 4. Section 25, chapter 255, Laws of 1927 as amended by section 6, chapter 257, Laws of 1959 and RCW 79.01.100 are each amended to read as follows:

State lands in urban or suburban areas—Platting.

The department of natural resources shall cause all unplatted state lands, within the limits of any incorporated city or town, or within two miles of the boundary thereof, where the valuation of such lands is found by appraisal to exceed one hundred dollars per acre, to be platted into lots and blocks, of not more than five acres in a block, before

the same are offered for sale, and not more than one block shall be offered for sale in one parcel. The department of natural resources may designate or describe any such plat by name, or numeral, or as an addition to such city or town, and, upon the filing of any such plat, it shall be sufficient to describe the lands, or any portion thereof, embraced in such plat, according to the designation prescribed by the department of natural resources. Such plats shall be made in duplicate, and when properly authenticated by the department of natural resources, one copy thereof shall be filed in the office of the department and one copy in the office of the county auditor in which the lands are situated, and said auditor shall receive and file such plats without compensation or fees and make record thereof in the same manner as required by law for the filing and recording of other plats in his office.

In selling lands subject to the provisions of Article 16, section 4, of the state Constitution, the department of natural resources will be permitted to sell the land within the required land subdivision without being required to complete the construction of streets, utilities, and such similar things as may be required by any local government entity in the instance of the platting of private or other property within their area of jurisdiction: *Provided*, That no construction will be permitted on lands so sold until the purchaser or purchasers collectively comply with all of the normal requirements for platting.

Sec. 5. There is added to chapter 255, Laws of 1927 and to chapter 79.01 RCW a new section to read as follows: New section.

(1) The purpose of this section is to provide revenues to the state and its various taxing districts through the sale of public lands which are currently used primarily for grazing and similar low priority

Public lands—  
Sale of grazing  
and other low  
yield use land  
authorized.

purposes, by enabling their development as irrigated agricultural lands.

(2) All applications for the purchase of lands of the foregoing character, when accompanied by a proposed plan of development of the lands for a higher priority use, shall be individually reviewed by the board of natural resources. The board shall thereupon determine whether the sale of the lands is in the public interest and upon an affirmative finding shall offer such lands for sale under the applicable provisions of this chapter: *Provided*, That any such parcel of land shall be sold to the highest bidder but only at a bid equal to or higher than the last appraised valuation thereof as established by appraisers for the department for any such parcel of land: *Provided further*, That any lands lying within United States reclamation areas, the sale price of which is limited or otherwise regulated pursuant to federal reclamation laws or regulations thereunder, need not be offered for sale so long as such limitations or regulations are applicable thereto.

(3) The department of natural resources shall make appropriate regulations defining properties of such irrigated agricultural potential and shall take into account the economic benefits to the locality in classifying such properties for sale.

Passed the Senate April 18, 1967.

Passed the House April 17, 1967.

Approved by the Governor April 25, 1967.

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CHAPTER 79.

[Engrossed Senate Bill No. 642.]

HALIBUT—MARKETING PRACTICES.

AN ACT relating to food and food products; adding a new section to chapter 257, Laws of 1945 and to chapter 69.04 RCW; defining crimes; prescribing penalties; and declaring an emergency.