

**SENATE BILL REPORT**

**SB 6355**

**AS REPORTED BY COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES,  
FEBRUARY 6, 1992**

**Brief Description:** Limiting the resurvey authority of the department of natural resources.

**SPONSORS:** Senators Metcalf, Bailey, Owen and Barr

**SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES**

**Majority Report:** That Substitute Senate Bill No. 6355 be substituted therefor, and the substitute bill do pass.

Signed by Senators Metcalf, Chairman; Oke, Vice Chairman; Amondson, Barr, Conner, Owen, Sellar, Snyder, and Sutherland.

**Staff:** Vic Moon (786-7469)

**Hearing Dates:** February 3, 1992; February 6, 1992

**BACKGROUND:**

The Department of Natural Resources has been conducting resurveys of lands adjacent to state trust lands to establish boundaries for those lands. Other private property owners adjacent to these lands are concerned about the effect of the resurveys on their property boundaries.

**SUMMARY:**

The Department of Natural Resources shall, in the process of resurveying lands to establish boundaries, use methods that recognize "bona fide rights." If land is resurveyed by the department, the survey may not impair bona fide rights of a landowner who is affected by the resurvey. The department may not substitute methods of an independent resurvey in place of evidence from original surveys. Land boundaries are fixed by the original corners and any resurvey must take those original corners into consideration in the resurvey process.

**EFFECT OF PROPOSED SUBSTITUTE:**

The resurvey language will apply to all state agencies, not just the Department of Natural Resources.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

The Department of Natural Resources surveys should not change existing property lines.

**TESTIMONY AGAINST:**

The bill needs technical changes. (DNR supports the substitute bill.)

**TESTIFIED:** PRO: Judy Taylor, Steve Sprague, Lorne Wallitner, Citizens for Resurvey Equity; CON: Terry Kirkpatrick, DNR