

SENATE BILL REPORT

SB 6356

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

**Brief Description:** Creating a process to challenge a department of natural resources resurvey.

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

**SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES**

**Majority Report:** 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

**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 those lands and in areas where resurveys have taken place are concerned about the effect of the resurveys on their property boundaries.

**SUMMARY:**

Landowners may challenge resurveys through arbitration or mediation with the Department of Natural Resources. If the landowner's rights are found to have been negatively affected, the department will compensate the landowner for impaired rights and pay all reasonable court fees and costs.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

The department needs to compensate landowners for taking property if a resurvey process results in a change of boundaries.

**TESTIMONY AGAINST:**

Legal recourse already exists and this bill is an invitation to take the Department of Natural Resources to court.

**TESTIFIED:** PRO: Lorne Wallitner; Gus Bremer, Nels Hanson, Wash.  
Farm Forestry Assn.; CON: Terry Kirkpatrick, DNR