

SENATE BILL REPORT

SB 5255

AS REPORTED BY COMMITTEE ON ECOLOGY & PARKS, FEBRUARY 8, 1993

Brief Description: Providing for evaluation and transfer to the parks and recreation commission of land acquired by the state by escheat.

SPONSORS: Senators Fraser, Barr, Talmadge, Bluechel and Haugen

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 5255 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chairman; Barr, Moore, Sutherland, and Talmadge.

Staff: Gary Wilburn (786-7453)

Hearing Dates: February 5, 1993; February 8, 1993

BACKGROUND:

When a person dies without leaving a will or family members who may receive the person's estate through the intestate succession laws (deceased without a will), the person's estate "escheats" to the state. Washington law provides that land which escheats to the state is to be administered by the Department of Natural Resources. The department may elect to dispose of the property through public auction. Alternatively, upon approval of the Board of Natural Resources, the department may transfer lands without public auction, including transfer to another public agency. In such circumstances at least fair market value must be paid for the property.

SUMMARY:

The Department of Natural Resources is to notify the state Parks and Recreation Commission when land is acquired by escheat and may be suitable for park purposes. The department and commission shall jointly evaluate the land's suitability for park purposes. If they determine that it is suitable, it shall be offered initially to the commission for transfer. If the commission declines to accept the land, it shall be offered to the local park agency. Payment by the recipient agency shall not exceed the department's costs of managing and protecting the land.

EFFECT OF PROPOSED SUBSTITUTE:

Where heirs are identified as to escheat lands transferred for park purposes, the fair market value of the property shall be paid to the heirs. The value shall be determined by an

independent appraisal and shall exclude the value of physical improvements made by the state park or local park jurisdiction. The Department of Natural Resources may use the park suitability evaluation procedures to review escheat lands received by the state since January 1, 1983.

Appropriation: none

Revenue: none

Fiscal Note: requested February 2, 1993

TESTIMONY FOR:

Will provide an important method of creating park land where lands were received by the state by escheat and thus had no acquisition costs associated.

TESTIMONY AGAINST: None

TESTIFIED: Nina Carter, State Parks; Stan Biles, Department of Natural Resources (pro)