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SENATE BILL 5255

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State of Washington                      53rd Legislature                      1993 Regular Session

By Senators Fraser, Barr, Talmadge, Bluechel and Haugen

Read first time 01/20/93. Referred to Committee on Ecology & Parks.

1            AN ACT Relating to escheat lands suitable for operation for park  
2 and recreation purposes; and amending RCW 79.01.612.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 79.01.612 and 1984 c 222 s 13 are each amended to read  
5 as follows:

6            (1) Except as provided in subsection (2) of this section, the  
7 department of natural resources shall manage and control all lands  
8 acquired by the state by escheat or under chapter 79.66 RCW and all  
9 lands acquired by the state by deed of sale or gift or by devise,  
10 except such lands which are conveyed or devised to the state to be used  
11 for a particular purpose. The department shall lease the lands in the  
12 same manner as school lands. When the department determines to sell  
13 the lands, they shall be initially offered for sale at public auction  
14 as provided in this chapter. If the lands are not sold at public  
15 auction, the department may, with approval of the board of natural  
16 resources, market the lands through persons licensed under chapter  
17 18.85 RCW or through other commercially feasible means at a price not  
18 lower than the land's appraised value and pay necessary marketing costs  
19 from the sale proceeds. Necessary marketing costs includes reasonable

1 costs associated with advertising the property and paying commissions.  
2 The proceeds of the lease or sale of all such lands shall be deposited  
3 into the appropriate fund in the state treasury in the manner  
4 prescribed by law(~~(:—PROVIDED, That)~~), except if the grantor in any  
5 such deed or the testator in case of a devise specifies that the  
6 proceeds of the sale or lease of such lands be devoted to a particular  
7 purpose such proceeds shall be so applied. The department may employ  
8 agents to rent any escheated, deeded, or devised lands, or lands  
9 acquired under chapter 79.66 RCW, for such rental and time and in such  
10 manner as the department directs, but the property shall not be rented  
11 by such agent for a longer period than one year and no tenant is  
12 entitled to compensation for any improvement which he makes on such  
13 property. The agent shall cause repairs to be made to the property as  
14 the department directs, and shall deduct the cost thereof, together  
15 with such compensation and commission as the department authorizes,  
16 from the rentals of such property and the remainder which is collected  
17 shall be transmitted monthly to the department of natural resources.

18 (2) When land is acquired by the state by escheat which because of  
19 its location or features may be suitable for park purposes, the  
20 department shall notify the state parks and recreation commission. The  
21 department and the commission shall jointly evaluate the land for its  
22 suitability for park purposes, based upon the features of the land and  
23 the need for park facilities in the vicinity. Where the department and  
24 commission determine that such land is suitable for park purposes, it  
25 shall be offered for transfer to the commission, or, in the event that  
26 the commission declines to accept the land, to the local jurisdiction  
27 providing park facilities in that area. When so offered, the payment  
28 required by the recipient agency shall not exceed the costs incurred by  
29 the department in managing and protecting the land since receipt by the  
30 state.

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