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HOUSE BILL 1006

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Morris and Lantz

Prefiled 12/28/2000. Read first time 01/08/2001. Referred to  
Committee on Technology, Telecommunications & Energy.

1 AN ACT Relating to public utility rights-of-way on aquatic  
2 lands; and amending RCW 79.90.470.

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

4 **Sec. 1.** RCW 79.90.470 and 1984 c 221 s 5 are each amended to read  
5 as follows:

6 The use of state-owned aquatic lands for public utility lines  
7 owned by a governmental entity, a cooperative formed under chapter  
8 23.86 RCW, a mutual corporation or association formed under  
9 chapter 24.06 RCW, or a public service company subject to  
10 regulation by the Washington utilities and transportation  
11 commission shall be granted without charge by an agreement,  
12 permit, or other instrument if the use is consistent with the  
13 purposes of RCW 79.90.450 through 79.90.460 and does not obstruct  
14 navigation or other public uses. Use for public parks or public  
15 recreation purposes shall be granted without charge if the aquatic  
16 lands and improvements are available to the general public on a  
17 first-come, first-served basis and are not managed to produce a  
18 profit for the operator or a concessionaire. The department may

1 lease state-owned tidelands that are in front of state parks only  
2 with the approval of the state parks and recreation commission.  
3 The department may lease bedlands in front of state parks only  
4 after the department has consulted with the state parks and  
5 recreation commission.

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